



# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator  
**SUBJECT:** Lind Marine Contract

**FROM:** James Beere  
Interim Chief, OPD  
**DATE:** November 17, 2025

City Administrator Approval

  
Betsy Lake (Dec 4, 2025 08:59:59 PST)

Date:  
12/04/2025

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To:**

- (1) Waive The City Of Oakland's Local/Small/Local Business Enterprise Program Requirements (L/SLBE) And Request For Proposal/Qualifications (RFP/Q) Competitive Process; And
- (2) Enter Into A Professional Services Agreement With Lind Marine From January 1, 2026 To December 31, 2027, To Provide For The Removal Of Abandoned, Derelict, And Sunken Vessels In The Oakland Estuary, For A Total Amount Not To Exceed One Million Four Hundred And Fifty-Six Thousand, Two Hundred And Fifty-Eight Dollars (\$1,456,258).

## EXECUTIVE SUMMARY

The City of Oakland has been awarded \$3,164,649 in federal funding from the National Oceanic and Atmospheric Administration for maintenance of the Oakland Estuary. In addition, the Oakland Police Department (OPD) has been awarded \$150,000 for the FY2024-2026 Surrendered and Abandoned Vessel Exchange (SAVE) Grant Program by the State of California Department of Parks and Recreation. The proposed resolution would authorize the City Administrator to enter into a non-competitive contract with Lind Marine, using available SAVE and NOAA funding in combination to remove sunken vessels from the Oakland Estuary. The term of the proposed contract would be from January 1, 2026, to December 31, 2027.

## BACKGROUND / LEGISLATIVE HISTORY

The Oakland Estuary, the waters between Oakland and Alameda, is Oakland's piece of San Francisco Bay. As the Legislature found in the McAteer-Petris Act, the Bay is "the most valuable single natural resource of an entire region, a resource that gives special character to the Bay

Area." Owners of vessels who use the Estuary irresponsibly, by using this public resource as a private home or by unseaworthy operation, threaten that special character.

The Bay Conservation and Development Commission (BCDC), a state agency charged with ensuring the marine health of the San Francisco Bay, administers the San Francisco Bay Plan (the Bay Plan) and issues permits for shoreline development and any activity placing fill in the Bay. Permits must be consistent with the Bay Plan. BCDC takes the position that abandoned and derelict vessels (ADVs) and live-aboard vessels—boats being used as residences—are unpermitted fill. The Bay Plan, in turn, allows liveabards only in marinas.

Vessels nevertheless anchor in the estuary for extended periods for use as residences. Other vessels are anchored or abandoned in the estuary in an unseaworthy condition. Such vessels are immediate or potential hazards to navigation and the environment. State law, Chapter 8.70 of the Oakland Municipal Code (O.M.C.), gives the City and Oakland Police Department (OPD) extensive authority to remove from the estuary permanently unoccupied vessels or vessels that pose an immediate environmental or navigational threat.

As noted above, under the Bay Plan's implementation of the McAteer-Petris Act, a live-aboard vessel is an unpermitted fill and not allowed in the estuary. BCDC takes the position that if such a vessel is anchored in City waters and the City does not remove it, then the City violates the McAteer-Petris Act. This Act gives BCDC authority to issue a cease-and-desist order against violations, and if the violation continues, BCDC can levy fines against violators of up to \$6,000 per day.

To assist local agencies in funding the tagging, floating, towing, and removal of ADVs and sunken vessels, in 1997, the State of California passed Senate Bill 172 to create the Abandoned Watercraft Abatement Fund (AWAF), codified in Section 525 of the Harbors and Navigation Code (HNC). The AWAF is a reimbursement grant which provides funds for the abatement, removal, storage, and disposal of abandoned vessels, wrecked or dismantled vessels, parts, or any other partially submerged objects that pose a substantial hazard to navigation from navigable waterways or adjacent public property, or private property with the landowner's consent, in accordance with California Harbors and Navigation Code (HNC). The California Department of Boating and Waterways (DBW) receives funding from the AWAF, which is made available to local public agencies statewide through the SAVE grant program.

The SAVE Program helps to improve safety on California's waterways and alleviates the issue of abandoned vessels. The City Council previously authorized acceptance of SAVE grant funds in the amount of \$50,000 for the years 2018, 2019, and 2020, and in the amount of \$166,250 for fiscal years 2023-2025. Most recently, the City Council adopted [Resolution 90565 C.M.S.](#), accepting and appropriating \$150,000 in SAVE grant funding for fiscal years 2024-2026.

In addition to this State funding, the City successfully applied for federal funding to enhance the efforts to remove ADVs and sunken vessels as part of a broader cleanup of the Oakland Estuary. On October 15, 2024, the City Council adopted [Resolution 90461 C.M.S.](#), accepting and appropriating \$3,164,649 from the National Oceanic and Atmospheric Administration (NOAA) to help fund marine debris removal and associated Estuary clean-up programs. This Resolution authorized \$1,306,258 of funding to be allocated for OPD-led debris management in the form of removal of sunken vessels.

OPD and the City Administrator's Office intend to use the SAVE funds and NOAA Marine Debris Removal funding to facilitate the removal of vessels to improve the safety of the Estuary for marine use and to mitigate and remediate environmental damage associated with these vessels. Combining the two funding sources creates \$1,456,328 for contracting to provide the full marine vessel removal services needed.

### **ANALYSIS AND POLICY ALTERNATIVES**

The need for removal of ADVs and sunken vessels in the Oakland Estuary is required under multiple permits issued to the City of Oakland by BCDC, as well as the functional needs of the Port of Oakland, United States Coast Guard, and recreational users of the Estuary. There is no dedicated ongoing funding source to complete this work, nor does the City maintain the specialized expertise and equipment to float, tow, or otherwise haul vessels from the Estuary to a legal and safe removal site for deconstruction or disposal. Thus, the City must contract with private companies for the completion of these efforts.

There are multiple companies in the San Francisco Bay area, including some in Oakland, that provide these services. These include U.S. Boat Removal and Curtin Maritime Corporation in Oakland, as well as others in the region. OPD has engaged with relevant companies to determine their ability to cost-effectively perform the work within the Estuary and determined that Lind Marine, based in Alameda, is best suited for the work. Lind Marine has successfully completed work under the SAVE grant for the City in previous years and is the only company with the specific technology and expertise to complete the work under this funding in the timeframe needed to address current BCDC concerns and grant requirements.

Utilizing the City's standard competitive bid requirements would require a timeline for implementation that would potentially subject the City to significant fines from BCDC, and delay the coordinated implementation of programs to address the environmental health challenges that are present from the anchor out vessels and ADVs currently occupying the estuary. These risks and damages support the proposed waiver of competitive bid requirements and the direct contracting with Lind Marine to complete the work.

Adoption of this resolution to authorize the contract with Lind Marine to implement the boat removals advances the Citywide priorities of **1) holistic community safety and 2) responsive, trustworthy government**. The abandoned vessels make the estuary unsafe and cause potential hazards. The removal of these vessels will help to maintain a safe space for boaters and for outdoor recreation. Additionally, there have been dozens of complaints from residents who live in the marina and citizens who want to row in the estuary or otherwise enjoy outdoor recreation. By removing these dangerous vessels, residents and citizens can once again enjoy the estuary.

OPD receives State SAVE grant funding on a regular basis to fund the removal of derelict vessels. Once the current NOAA grant is executed, future ongoing maintenance of the estuary should be manageable with the annual SAVE grant funding.

### **FISCAL IMPACT**

OPD receives multiple requests to surrender vessels monthly. These vessels are located throughout the Oakland shoreline, with a majority of them being located within the marinas of

the Oakland Estuary. The plan to increase the number of surrendered vessels is to provide an effective and streamlined procedure to citizens who request to surrender their vessel. As more funding becomes available to spend towards surrendered vessels, it is predicted that more vessel owners will come forward wanting to surrender their vessel to the state.

**Table 1** below outlines the spending plan OPD will utilize for the \$150,000 of funding over the 2024-2026 fiscal years for the SAVE grant to fund the abatement, removal, storage, and disposal of current and future abandoned and surrendered vessels. The appropriation is solely an addition to City funds and cannot be used to supplant City funding from any other fund.

The funds from the NOAA Marine Debris Removal grant total \$1,306,258 for sunken vessel removal. This is estimated to cover the removal of 16 vessels, although funding will be fully utilized to remove as many vessels as possible, as the total number of sunken vessels significantly exceeds this number.

**Table 1: Spending Plan for SAVE and NOAA Grants FY 2024-2026**

Item	Amount
15 Current Abandoned Vessels	\$120,000
3 Current Surrendered Vessels	\$14,000
1 Future Abandoned Vessel	\$8,000
1 Future Surrendered Vessel	\$8,000
16 Sunken Vessels	\$1,306,258
<b>Total</b>	<b>\$1,456,258</b>

Funding for the SAVE grant has been allocated to the State of California Fund (2159), Support Operations Division Org (107510), Program, Project, and Account to be determined.

Fund Source	Organization	Project	Program	Amount
2159	107510	TBD	TBD	\$150,000

Funding for the NOAA grant will be allocated to the Department of Commerce for the Oakland Estuary Marine Debris Removal and Regional Stewardship Project (2104), Support Operations Division Org (107510), Program, Project, and Account to be determined.

Fund Source	Organization	Project	Program	Amount
2104	107510	TBD	TBD	\$1,306,258

## **PUBLIC OUTREACH / INTEREST**

The City of Oakland has received numerous complaints about these vessels and their impact on the estuary. People involved in rowing on the estuary have registered complaints about the release of raw sewage from these boats that contaminates their boats as they are rowing. Marina residents who legally anchor at docks and marinas note the concern that the derelict boats pose a direct safety concern for their residences, especially if they break free during storms and crash into legally docked boats. The vessels also pose a risk when anchored in the

travel lanes. Most complaints have been filed through BCDC, and staff from the City Administrator's Office, Police Department, and Office of the City Attorney have attended numerous BCDC Enforcement Committee meetings where members of the public have urged BCDC to take action against the City of Oakland.

OPD staff and Lind Marine will also work with stakeholders to ascertain relevant information about sunken vessels in determining the final list of vessels to be removed with NOAA funding.

## **COORDINATION**

The City Administrator's Office, OPD, and the Office of the City Attorney coordinated to implement the City's Nuisance Vessel ordinance, OMC 8.70. In researching this ordinance, staff consulted regularly with representatives from BCDC and with the neighboring jurisdictions that share the estuary, including the City of Alameda and the East Bay Regional Park District. OPD has formed relationships with other entities, such as Public Works and City Parks & Recreation, to reduce costs for estuary cleanup operations. This previous coordination was the foundation for ongoing relationships and coordinated management of anchor-out and sunken vessels. Specific coordination on the development of the NOAA grant was conducted with these partners, as well as with the Port of Oakland staff, U.S. Coast Guard staff, the Bay Conservation and Development Commission, and a variety of stakeholders along the waterfront.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Reducing unseaworthy and live-aboard vessels will improve the attractiveness of the Estuary, one of Oakland's great natural resources. A clean and safe Estuary could be a spur to a vibrant waterfront.

***Environmental:*** As noted above, the current occupation of the Estuary by unseaworthy and live-aboard vessels has potentially serious environmental consequences. Removing and remedying those vessels can help put the Estuary on a path to sustainability.

***Race and Equity:*** The Oakland Estuary runs alongside neighborhoods with some of the lowest equity indicators. Efforts at making the shoreline accessible to these communities for outdoor recreation, such as the construction of Union Point Park and the further development of the Bay Trail, are enhanced by a well-maintained estuary.

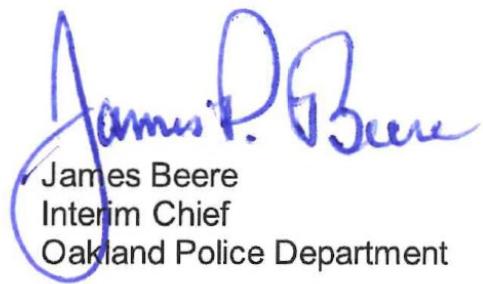
**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To:

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For questions regarding this report, please contact Officer Ryan Smith at [rsmith@oaklandca.gov](mailto:rsmith@oaklandca.gov).

Respecfully Submitted,



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