

California Underground Facilities Safe Excavation Board

In the Matter of
City of Oakland,
Respondent

Case No. D230030002

DECISION REGARDING NOTICE OF PROBABLE VIOLATION

On January 08, 2024, the Office of Energy Infrastructure Safety, California Underground Facilities Safe Excavation Board (the Board) considered Case No. D230030002. Board investigative staff issued a Notices of Probable Violation (NOPV) to the City of Oakland, (Respondent), dated November 09, 2023, alleging a violation of Government Code (Gov. Code) section 4216.3, subsection (c)(1)(A). Respondent submitted a response of “No Contest,” however the response was not received within 30 business days as required by California Code of Regulations, title 19, section 4252(a) and was not considered by the Board.

Board members Bianchini, Del Toro, Johns, Johnson, Muñoz, and Voss participated in the decision.

FINDINGS

Having considered the investigation report, the Board finds that there was insufficient evidence presented to support a finding that Respondent violated Gov. Code section 4216.3, subsection (c)(1)(A).

/s/ Amparo Muñoz
Amparo Muñoz, Chair

Date: 01/29/2024