

- Barry Joe Stull

limits under OMMA "usable marijuana"

case -

State v. Castilleja 9/18/2008

Oregon Supreme Court

345 Or 255, 192 P.3d 1283 (2008)

Oregon Court of Appeals

215 Or App 235, 168 P.3d 1177 (2007)

Dissenting Judges, including Chief Judge Brewer,  
cite Stull v. Hoke 326 Or 72 at 215 Or App 269

- Multnomah Co. Circuit Court Case 0704-04569  
regarding PCR1's contempt of court.

Law enforcement testimony on July 13, 2007  
proved PCR1's perjury (a felony) ~~which the~~,  
which the Multnomah Co. DA will not  
prosecute, since landlords are not prosecuted  
for perjury, according to DA John Bradley.

- State v. Owenby, relied on by Mult Co DA against  
me, found not applicable in State v. Miles,  
in the Oregon Court of Appeals in 2005.

- Advance payments for property damage ORS 31.565

# ATTENDING PHYSICIAN'S STATEMENT

## Oregon Medical Marijuana Program

Office use only: OBME

**Instructions:** Please complete all sections of this form in order to comply with the registration requirements of the Oregon Medical Marijuana Act **OR** provide relevant portions of the patient's medical record containing all information required on this form. **This does not constitute a prescription for marijuana.**

If you need this document in an alternate format, please call (971) 673-1234

PLEASE TYPE OR PRINT LEGIBLY.

A PATIENT INFORMATION		
PATIENT NAME (LAST, FIRST, M.I.) <u>Barry Joe</u>	Stull, Barry Joe	DATE OF BIRTH: 09-24-1958
MAILING ADDRESS:	PO Box 11008	TELEPHONE #: ( ) none
CITY, STATE AND ZIP CODE:	Portland OR 97211	

B PHYSICIAN INFORMATION		
PHYSICIAN NAME:	Robert J. Grimm, MD	
MAILING ADDRESS:	2455 NW Marshall St. Ste 14	TELEPHONE #: (503) 221-0295
CITY, STATE AND ZIP CODE:	Portland OR 97210	

C PHYSICIAN'S STATEMENT	
Debilitating Medical Condition: Check appropriate boxes.	
<input type="checkbox"/>	1. Malignant neoplasm (Cancer)
<input type="checkbox"/>	2. Glaucoma
<input type="checkbox"/>	3. Positive status for Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS)
<input type="checkbox"/>	4. Agitation due to Alzheimer's Disease
5. A medical condition or treatment for a medical condition that produces for a specific patient one or more of the following: (check all that apply)	
<input type="checkbox"/>	a. Cachexia
<input checked="" type="checkbox"/>	b. Severe pain
<input checked="" type="checkbox"/>	c. Severe nausea
<input type="checkbox"/>	d. Seizures, including but not limited to seizures caused by epilepsy
<input type="checkbox"/>	e. Persistent muscle spasms, including but not limited to spasms caused by multiple sclerosis.
Comments:	
<u>Severe chronic pain syndrome 50 y.o. ♂</u>	
<u>Following back surgery. R of neck since 2000</u>	
I hereby certify that I am a physician duly licensed to practice medicine in Oregon under ORS Chapter 677. I have primary responsibility for the care and treatment of the above-named patient. The above-named patient has been diagnosed with a debilitating medical condition, as listed above. Marijuana used medically may mitigate the symptoms or effects of this patient's condition.	
This is not a prescription for the use of medical marijuana.	
PHYSICIAN'S SIGNATURE:	DATE:
<u>Robert J. Grimm MD, FACP</u>	7/24/09

MAIL ATTENDING PHYSICIAN'S STATEMENT TO:

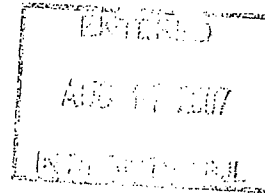
Jennings v. Baxter Healthcare  
331 O. 285, 14 P.3d 596  
(2000)

DHS/OMMP  
PO Box 14450  
Portland, OR 97293-0450



4TH JUDICIAL DIST.  
2007 AUG 16 AM 8:35

FILED



IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

PCRI,

Plaintiff,

v.

BARRY JOE STULL,

Defendant.

Case No.: 05F 015732

STATUS ORDER

BARRY JOE STULL,

Plaintiff,

v.

PORTLAND COMMUNITY  
REINVESTMENT INITIATIVES, INC.,  
MAXINE FITZPATRICK, MARY C.  
LUCERO, KIMBERLY MASON, ROSS  
JOHNSON, THOMAS FLANNEL, LEAH C.  
SYKES, AND BITTNER & HAHS, P.C., ,

Defendants

Case No.: 0703-02757

BARRY JOE STULL,

Plaintiff,

v.

PCRI,

Defendant.

Case No. 0704-04569

On July 13, 2007, the undersigned plaintiff Barry Joe Stull's Motion for defendant PCRI to show cause why PCRI should not be held in contempt. Mr. Stull appeared *pro se*

1 and PCRI was represented by its attorneys, Nicholas L. Dazer and Robert C. Muth. Having  
2 heard argument from both parties, and having considered all written submissions and being  
3 fully advised in the premises, the Court orders as follows:

4 (1) The instant case, Multnomah County Circuit Court Case No. 0703-02757, is  
5 hereby consolidated with Mr. Stull's separate lawsuit bearing Case No. 0704-04569 and with  
6 the original eviction proceeding Case No. 05F 015732; and all further proceedings will be  
7 held before the undersigned Judge. The parties are instructed to file all further pleadings  
8 with the consolidated caption.

9 (2) The Court is reserving judgment on Mr. Stull's Motion for Contempt so that  
10 all disputes between Mr. Stull and PCRI and its former employees and counsel can be  
11 adjudicated in one proceeding (other than those issues that have been ruled upon by the  
12 Oregon Court of Appeals).

13 (3) PCRI will not be ~~found~~ *sanctioned for* in any continuing contempt *admitted by counsel* by virtue of this Court  
14 taking Mr. Stull's Motion for Contempt under advisement.

15 (4) Mr. Stull shall file and provide to the Court any Memorandum in Opposition  
16 to Defendants Fitzpatrick, Mason and Lucero's Motions to Set Aside Default Order no later  
17 than August 1, 2007. Hearing on that Motion will be held on August 10, 2007, at 8:00 a.m.  
18 before the undersigned Judge in Room 338.

19 DATED this 16<sup>th</sup> day of August, 2007.

21 By

Honorable Edward Jones

23 **SUBMITTED BY:**

24 Nicholas L. Dazer, OSB No. 002403  
25 E-mail: nick.dazer@bullivant.com  
26 Bullivant Houser Bailey PC  
300 Pioneer Tower  
888 SW Fifth Avenue  
Portland, OR 97204-2089

IN THE COURT OF APPEALS OF THE STATE OF OREGON

PCRI,  
Plaintiff-Respondent,

v.

BARRY JOE STULL,  
Defendant-Appellant.

Multnomah County Circuit Court No. 05F015732

Court of Appeals No. A130567

**ORDER DENYING RECONSIDERATION**

Appellant has moved for reconsideration of the court's December 11, 2008, order dismissing his appeal. The court deems the motion a petition for reconsideration on the ground that it seeks reconsideration of a dispositional ruling ORAP 6.25(1), and determines that it was untimely filed more than 14 days after the issuance of the order of dismissal. ORAP 6.25(2).

Moreover, although virtually all of appellant's allegations go to the merits of the appeal, appellant has failed to establish with particularity why his disability has prevented him from filing his brief within the extended time limit established by the court. Because the appeal was dismissed for failure to prosecute the appeal, appellant's failure to file his brief has prevented the court from reaching the merits.

The petition for reconsideration is denied.

MAR 18 2009

DATE



CHIEF JUDGE

c: Barry Joe Stull  
Margaret H Leek Leiberan  
Leah Colette Sykes

Ej\130567odrc090318.docx

**ORDER DENYING RECONSIDERATION**

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,  
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

(Original to file/Copy to Client)

# GRIEVANCE FORM

Please describe your grievance in this space: Although my Housing Plan was scheduled to take 3 months, it was denied after 2 months, although I was complying with its contents within the limitations of my disability (post-surgery central neuropathic pain).

Please describe the actions you would like taken:

I would like the decision to deny my Housing Plan to be reviewed on appeal and the decision to deny it reversed, and returned to my prior status as a shelter client.

Actions taken by TPI:

Client Name (Print): Barry Joe Stull

Signature: Benny Smith

Date of conflict: 9/17/09 Time: 3:00 AM (PM)

Staff Member: TPI Clark Center Staff (case mgr: Geri Horning)

Date of Staff Response: \_\_\_\_/\_\_\_\_/\_\_\_\_ Staff Respondent: \_\_\_\_\_

Date Supervisor Response: \_\_\_/\_\_\_/\_\_\_ Supervisor: \_\_\_\_\_

Date of ED Response: \_\_\_\_/\_\_\_\_/\_\_\_\_ Executive Director: \_\_\_\_\_

Resolved at step# \_\_\_\_\_ of the grievance procedure on \_\_\_\_ / \_\_\_\_ / \_\_\_\_

(Original to file/Copy to Client)

Oregon State Bar Client Assistance Office  
P.O. Box 231935  
Tigard, Oregon 97281-1935

May 7, 2009

Dear Oregon State Bar Client Assistance Office:

This constitutes a formal complaint against Leah C. Sykes, Margaret Leek-Leiberan, and Nicholas Dazer for violating the Oregon Rules of Professional Conduct.

On August 25, 2005, Leah C. Sykes violated Rule 3.1 when Sykes brought and filed Multnomah County Circuit Court Case 05F015732, where Sykes represented PCRI, Stull's landlord. Sykes filed the complaint in violation of the statutory prohibition against filing an action under ORS 90.427(2), set out in ORS 105.120(4)(2003), because Stull's rent was paid in advance and not refunded. Stull appealed.

As the appeal of the case was progressing, Sykes made a number of false assertions regarding the status of the defendant's property contained in the apartment which was the subject of the appeal, and Sykes misrepresented PCRI's subsequent destruction of that property, which included Stull's installed indoor medical marijuana garden registered with the Oregon Medical Marijuana Program. At the time of her false pleading, Sykes knew medical marijuana was Stull's best treatment option for a very difficult to manage and debilitating central neuropathic pain condition. In a pleading filed in the Oregon Court of Appeals (variously dated March 14<sup>th</sup> or 15<sup>th</sup> 2006), Sykes asserted her opposing party's possessions were removed from the apartment prior to the March 1, 2006 order reinstating the appeal, when in fact, the process of removing and destroying the possessions began on March 9, 2006 as witnessed by the Multnomah County Sheriff Office personnel on that date, as well as by neighbors and PCRI staff and agents.

Via email missive to Craig Colby, on March 28, 2006, Sykes reported her clients had informed her the process of removing the property from the apartment began on March 9, 2006. Margaret Leek-Leiberan then joined Sykes as associate counsel on the appeal, and repeatedly plead to the court that the apartment was emptied prior to the March 9, 2006 order requiring PCRI to restore the apartment to Stull. Sykes knew the statements of her associate counsel were untrue and did not report to the tribunal in violation of Rule 3.3.

Following the Oregon Court of Appeals issuing an order that PCRI appear and show cause why it should not be held in contempt of court for failing to abide by that court's March 9 and March 16, 2006 orders, Leiberan violated Rule 3.4 on June 23, 2006 and promulgated an affidavit of PCRI's property manager Mary Lucero falsely claiming Stull was able to move in to the apartment on March 16, 2006, since Sykes knew Stull was still locked out as of the date of Sykes' March 28, 2006 fax missive to Craig Colby. Leiberan again violated Rule 3.4 on July 18,

Barry Joe Stull

PO Box 11008

Portland OR 97211



2006 and promulgated affidavits from PCRI staff and agents which Leiberan and Sykes knew to be false, since those affidavits claimed the apartment was emptied before March 9, and Sykes had already known by then the process of emptying the apartment commenced with the Multnomah County Sheriff personnel entering the apartment on March 9, 2006 to seize Stull's medical marijuana for safekeeping.

On July 13, 2007, Nicholas Dazer was present when sworn law enforcement personnel from the Multnomah County Sheriff Office and Portland Police Bureau testified the apartment was not emptied as Sykes and then Leiberan plead to the court of appeals. Dazer violated Rule 3.3 when he knew his client PCRI committed fraud on the court and Dazer did not take reasonable remedial measures once aware of the falsity of the evidence PCRI offered.

On October 31, 2006, Sykes appeared in Multnomah County Circuit Court. To avoid contempt of court proceedings, Sykes plead PCRI was going to send Stull photographs of Stull's possessions PCRI destroyed for a second time in October 2006, and would pay Stull for the improperly destroyed personal property. PCRI did not compensate Stull as Sykes promised the court, and Sykes, Leiberan, and Dazer each knew PCRI's unlawful destruction of Stull's resources, which Sykes promised the court PCRI would pay, and which PCRI then denied to Stull, left Stull without resources to maintain health and well being to prosecute the appeal.

Leiberan and Dazer were both aware Stull was sickened without the resources PCRI unlawfully destroyed, were both aware of PCRI's fraud on the court regarding the timing of the March 2006 destruction of Stull's resources, and were both aware Stull's appeal had merit as they continued to hamper Stull's appeal through pleadings unsupported by facts, including Dazer submitting motions for relief from default unsupported by any evidence and Leiberan claiming Stull had time to recover (from PCRI's unlawful destruction of over \$20,000 of Stull's resources), where Leiberan entered the practice of medicine where she had so obviously left the practice of law by false pleadings, meritless assertions, and promulgating false affidavits Leiberan knew to be false at the time she included them as evidence in support of her motions.

Dazer was informed by Stull on July 27, 2007 that PCRI could compensate Stull by paying Stull for the \$4,775 representing the undisputed value of Stull's property unlawfully destroyed by PCRI in October 2006, yet Dazer continues to assert to Stull that the only way PCRI can pay Stull is if Stull agrees to settle the case for \$4,775, when Dazer knows PCRI's destruction of Stull's goods merits double damages pursuant to each of ORS 90.425 (15) and (17), and PCRI can make an advance payment pursuant to ORS 31.550 and 31.555, instead of unlawfully leaving Stull too sick to prosecute legal matters against PCRI, including the appeal of the case Sykes filed without jurisdiction and civil actions Stull filed against PCRI under the pressure of the statute of limitations.

Sykes, Leiberan, and Dazer have each violated Rule 3.3 and engaged in illegal conduct of aiding and abetting PCRI in its unlawful retaliation against Stull for asserting civil rights as a

Barry Joe Stull

PO Box 11008

Portland OR 97211

person with a disability, have engaged in harassment in housing in violation of OAR 839-005-0010(8), and have each made false statements of fact and law or have failed to correct false statements of material fact or law made to the court once made aware of the falsity of those statements..

Leah C. Sykes, Margaret Leek-Leiberan, and Nick Dazer have violated Rule 8.4 (3) and (4) by engaging in conduct involving dishonesty, fraud, deceit and misrepresentation and engaged in conduct that is prejudicial to the administration of justice.

Multnomah County Circuit Court Case 05F015732 was brought and filed against clear statutory prohibitions, and the appeal of that case was unlawfully thwarted by the actions of the these three members of the Oregon State Bar, who have gained an unfair advantage in the process through their own illegal acts. Their client PCRI unlawfully destroyed tens of thousands of dollars of resources of the opponent person with a disability on two separate occasions as the appeal progressed, and now PCRI faces liabilities unheard of had these three lawyers acted honestly, fairly, and within the bounds of the Rules on Professional Conduct and laws of the State of Oregon, which by any measure they did not.

Their addresses and contact information is as follows:

Leah Colette Sykes, OSB # 021039  
Bittner & Hahs PC  
4949 SW Meadows Rd #260  
Lake Oswego OR 97035  
County Clackamas Phone 503 445-4305  
Fax 503 228-8566  
Email [lsykes@bittner-hahs.com](mailto:lsykes@bittner-hahs.com)  
Website [www.bittner-hahs.com](http://www.bittner-hahs.com)

Nicholas L Dazer, OSB #002403  
Bullivant Houser Bailey PC  
888 SW 5th Ave Ste 300  
Portland OR 97204  
County Multnomah Phone 503 499-4573  
Fax 503 295-0915  
Email [nick.dazer@bullivant.com](mailto:nick.dazer@bullivant.com)  
Website [www.bullivant.com](http://www.bullivant.com)

Margaret H Leek Leiberan, OSB # 770468  
Jensen & Leiberan PC  
4915 SW Griffith Dr Ste 100  
Beaverton OR 97005  
County Washington Phone 503 641-7990  
Fax 503 646-2053  
Email [leiberan@jensen-leiberan.com](mailto:leiberan@jensen-leiberan.com)  
Website [www.jensen-leiberan.com](http://www.jensen-leiberan.com)

I sincerely hope the Oregon State Bar will promptly act to address the misconduct as evidenced in the record.

Respectfully submitted,

Barry Joe Stull  
(no telephone due to disability)

Barry Joe Stull

PO Box 11008

Portland OR 97211

Hello Mr. Stull,

I have finished reviewing all three cases currently pending with our office with you as the listed victim. Unfortunately, we are unable to issue any of these cases. Below is the reason for my decision on each of the three cases:

**PPB 08-84582 (DA 2150522-1) – Incident Date 8/28/08**

I originally reviewed and declined this case for insufficient evidence on 10/6/08. You later contacted our office and requested a follow up. You suggested that we 1) Order the video of this incident from TriMet; and 2) Interview the TriMet employee Cordell Hull.

As you already know, the video from that day no longer exists. I contacted TriMet and they informed me that videos are only kept for 72 hours unless otherwise specified.

I also requested that a follow-up interview be done with the TriMet employee Cordell Hull. Officer Scott contacted Mr. Hull on 11/03/08 and conducted an interview. Officer Scott's special report is attached to this e-mail in pdf format. As you can see, Mr. Hull was unable to provide any corroborating evidence to support the suspect's identity.

Finally, there is a recent Oregon Supreme Court decision from August of 2008 where the Court found ORS 166.065(1)(a)(b) – harassing and annoying another person by publicly insulting the person by abusive words or gestures – to be unconstitutional, holding that this statute infringed on free expression. (State v. Johnson 8/14/08)

For the above reasons we are declining prosecution for both insufficient evidence and legal impediment.

**PPB 08-103579 (DA 2154425-1) – Incident date 10/16/08**

I am declining this case for insufficient evidence of a suspect. The only evidence that we have linking Mr. William Lawrence to this case as a suspect is your testimony. We have no corroborating evidence to establish beyond a reasonable doubt that it was in fact Mr. Lawrence who stole your marijuana plants.

**PPB 08-104179 – Incident date 10/20/08**

As of this date, there is no suspect connected to this incident. For this reason, we are unable to issue charges.

Please let me know if you need any further clarification.

Sincerely,

Amber Moser

Multnomah County District Attorney's Office

Amber.moser@mcda.us

<b>TRANSIT POLICE DIVISION</b>		<b>SPECIAL REPORT</b>		<input type="checkbox"/> INFORMATION <input type="checkbox"/> CONTINUATION		<input type="checkbox"/> CLEARANCE <input type="checkbox"/> SUPPLEMENTAL		PAGE OF <b>71</b>	
CASE NO. <b>0884582</b>		REFER CASE NO.		CLASSIFICATION					
<input type="checkbox"/> 1. UNFOUNDED <input type="checkbox"/> 2. PENDING		<input type="checkbox"/> 3. SUSPENDED <input type="checkbox"/> 4. CLR BY ARREST		<input type="checkbox"/> 5. EXCEPTIONAL <input type="checkbox"/> 6. REFERRED		ORIGINAL REPORT DATE/TIME <b>082908 0300</b>		THIS REPORT DATE/TIME <b>11-03-08 1640</b>	
LOCATION OF OCCURRENCE <b>W. BURNSIDE / 148TH</b>									
PERSON      CO-Complainant      SB-Subject      SI-Sick/Injured/Cared For      PE-Park Exclusion CODE    NAME:    LAST    FIRST    MIDDLE    SEX    RACE    DOB <b>W1</b> <b>HULL, CORDELL</b> <b>EUGENE</b> [REDACTED] <b>M</b> <b>W</b> <b>011961</b> ADDRESS <b>WORK</b> ZIP    PHONE    PROPERTY RECEIPT NO. <b>4012 SE 17TH</b> <b>97202</b> <b>(503) 661-8141</b>									
SUBJECT OF THIS REPORT <b>STATEMENT VIA PHONE RE: ABOVE CASE NUMBER</b>									
NARRATIVE/PROPERTY      S-STOLEN      L-LOST      F-FOUND      D-DAMAGED      K-SAFEKEEPING      R-RECOVERED									
(ITEM)    CODE    ITEM    BRAND    MODEL/STYLE    SERIAL NO.    COLOR    ENGRAVINGS/PECULIARITIES    SIZE    VALUE									
<b>(6) SGT NIIYA ( ) REQUESTED CASE FOLLOW-UP.</b>									
<b>ABOVE LISTED CASE NUMBER.</b>									
<b>SOURCE OF ACTIVITY: ON ABOVE DATE AND TIME</b>									
<b>SGT NIIYA ORDERED ME TO CONTACT A POSSIBLE</b>									
<b>WITNESS REGARDING A POSSIBLE HARASSMENT</b>									
<b>(SEE LISTED CASE NUMBER).</b>									
<b>STATEMENT HULL: I TELEPHONED MR HULL AND</b>									
<b>INTRODUCED MYSELF. I ASKED HIM IF HE KNEW</b>									
<b>WHY I WAS CALLING. HE SAID YES. HE TOLD</b>									
<b>ME THAT HE WAS RIDING IN THE FRONT</b>									
<b>PORTION OF THE MAX WHEN HE HEARD</b>									
<b>SOMEONE YELL "GET AWAY FROM ME YOUR A</b>									
<b>CHILD MOLESTER IM GOING TO KILL YOU" OR</b>									
<b>WORDS TO THAT EFFECT. THE PERSON THAT WAS</b>									
<b>VELLED AT, WHO WAS IN THE REAR OF THE</b>									
<b>MAX WALKED TOWARDS THE FRONT AND SAT NEAR</b>									
<b>MR HULL. HULL TOLD THE PERSON HE SHOULD REPORT</b>									
<b>THE INCIDENT AND ASK FOR THE TAPE TO BE POLLED.</b>									
<b>HULL TOLD ME HE COULD NOT IDENTIFY OR REMEMBER</b>									
<b>WHAT THE SUSP LOOKED LIKE. HULL ADDED HE DID NOT SEE</b>									
<b>ANY PHYSICAL CONTACT BETWEEN THE MEN.</b>									
REPORTING OFFICER(S)      BPST      PREC/DIV      RLF/SHIFT      ASSN/DIST      SUPERVISOR'S SIGNATURE									
<b>KSCOTT      26435      TPD      A      1763</b>									

CASE NO.

## COPIES

- ☐ DET  
☐ CAU  
☐ Central  
☐ East  
☐ North  
☐ TRF  
☐ DA  
☐ DVD  
☐ ID  
☐ Prop Room  
☐ Crime Prev  
☐ Intell  
☐ Patrol Support

## COMPUTER ENTRY

- ☐ Person  
☐ Vehicle  
☐ OPR  
☐ Crime/Prop  
☐ Book  
☐ OPR

"One vacancy!"

# Portland Planning Commission

## General Information

### What is the Portland Planning Commission?

The Planning Commission advises City Council in these functions:

- 1) Advises City Council on any proposal that affects the goals, policies or contents of the City's Comprehensive Plan.
- 2) Advises City Council on street vacations, dedications and name change requests, amendments to the Portland Zoning Code (Title 33), urban renewal plans, and proposals for tax abatement, public buildings, and various citywide policies.

### Who may serve on the Portland Planning Commission?

City Code Chapter 33.710.040 provides rules for membership on the Commission:

- 1) The Mayor appoints nine commissioners subject to confirmation by City Council.
- 2) No more than two commissioners may be engaged in the same business or profession, and no more than two commissioners may participate principally in, or be an officer or employee of a corporation that participates principally in the buying, selling, or developing of real estate for profit.
- 3) Commissioners serve without compensation for terms of four years, subject to reappointment to a maximum of three full terms.

### Who are current Planning Commission members?

#### Officers

**President**

**Don Hanson**, Principal, Development Services, OTAK, Inc.

**Vice President**

**Amy Cortese**, Sustainability Coordinator, ZGF Partnership

**Vice President**

**Michelle Rudd**, Land Use Attorney, Stoel, Rives LLP

#### Members

**André Baugh**, Consultant, AGB Ltd., project and construction management, diversity initiatives, business services

**Lai-Lani Ovalles**, Indigenous Organizing Coordinator, Native American Youth & Family Center (NAYA)

**Howard Shapiro**, Multiple experiences with boards and commissions, including Housing Authority of Portland, Albina Community Bank, Livable City Housing Council, Multnomah County Investment Council, Portland Institute of Contemporary Art

**Jill Sherman**, Development Manager, Gerding Edlen Development

**Irma Valdez**, Principal Broker, Irma Valdez Properties

**One Vacancy**

### When does the Planning Commission meet?

- 2<sup>nd</sup> Tuesday of each month, 12:30 PM
- 4<sup>th</sup> Tuesday of each month, 7:00 PM
- Special sessions as required
- Meeting agendas are published in the Metro Section of the Friday edition of The Oregonian the week prior to the meeting.

# Hearing Procedures

## Who may testify at a Planning Commission hearing?

The Planning Commission receives both written and oral testimony from anyone who wishes to testify about an agenda item. A spokesperson may present testimony for a recognized group, business or client.

### Persons who wish to submit written testimony proceed as follows:

- If providing printed copies, provide ten copies of the statement (9 for commissioners, 1 copy for Planning Commission record), to ensure delivery to all commissioners. Testifiers may mail, fax, or e-mail the testimony to the Planning Commission Coordinator before the meeting or give the written testimony to the coordinator at the meeting. If necessary, the Coordinator may copy testimony for commissioners, provided it is brief and prints or copies as black and white text.

### Persons who wish to speak to the Commission directly proceed as follows:

- Complete and submit testimony card to Planning Commission Coordinator. For every hearing, cards may be found on a table at the meeting room entrance. The coordinator accepts cards before and during the meeting. Persons needing to testify early in the process should arrive no later than one-half hour before the meeting to ensure early submission of the testimony card.

## What happens at the Planning Commission hearing?

1. The presiding officer calls items from the printed agenda.
2. The Planning Bureau Project Team presents a summary of the Plan.
3. The presiding officer calls for public testimony. The officer usually calls testifiers in the order in which the testimony cards were submitted. Sometimes, the officer will ask neighborhood representatives, business organizations, technical advisors or other City staff to speak first for background on issues.
4. Testifiers sit to the left of the project team.
5. Testifiers speak into the microphone on the table and provide the following information:
  - Name and complete address;
  - Name of group represented, if not speaking for self;
  - Concise statement of issues relevant to case.
6. The Planning Commission Coordinator monitors speakers' time to allow three minutes for individual speakers. The coordinator sets a timer for allotted time; speakers may complete statements after the bell rings up to 30 seconds after the timer goes off. The Commissioners may question testifiers after testimony.
7. The presiding officer may continue the testimony until a later meeting if issues require more time.
8. The presiding officer may close public testimony after all speakers have been heard or announce a later date for submission of written testimony before the close of testimony.
9. The Planning Commission discusses the matter and reaches a decision or recommendation. If more information is needed, the Commission may defer action to a later date.

## What will the Planning Commission recommend?

The Planning Commission may recommend approval, approval with conditions or modifications, deferral or denial. The Planning Commission's actions usually constitute a recommendation to City Council.

## How do I obtain the Planning Commission record?

- Contact the Planning Commission Coordinator at 503-823-5772 for copies of meeting CDs (\$5/CD) or written summary minutes (no charge). CDs can be made available within one week of the request. Draft minutes are available within approximately three weeks of the meeting.

ITEM 58  
JAN 13, 2010

(4)

PORTLAND CITY COUNCIL  
COMMUNICATION REQUEST  
Wednesday Council Meeting 9:30 AM

RECEIVED

Council Meeting Date: 1/13/2010

2009 DEC 24 P 4: 25

Today's Date 12/24/2009

CITY AUDITOR OFFICE  
CITY OF PORTLAND, OR.

Name Barry Joe Stull

BY \_\_\_\_\_

Address PO Box 11008 Portland OR 97211

Telephone no phone Email cannabis boo@yahoo.com

Reason for the request:

The Portland Police Bureau, Multnomah Co District  
Attorney's Office, and the Multnomah Co.  
Circuit Court are continuing to violate my  
civil rights.

Barry Stull  
(signed)

- Give your request to the Council Clerk's office by Thursday at 5:00 pm to sign up for the following Wednesday Meeting. Holiday deadline schedule is Wednesday at 5:00 pm. (See contact information below.)
- You will be placed on the Wednesday Agenda as a "Communication." Communications are the first item on the Agenda and are taken promptly at 9:30 a.m. A total of five Communications may be scheduled. Individuals must schedule their own Communication.
- You will have 3 minutes to speak and may also submit written testimony before or at the meeting.

*Thank you for being an active participant in your City government.*

**Contact Information:**

Karla Moore-Love, City Council Clerk  
1221 SW 4th Ave, Room 140  
Portland, OR 97204-1900  
(503) 823-4086 Fax (503) 823-4571  
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Request of Barry Joe Stull to address Council regarding the Police Bureau,  
Multnomah County District Attorney and Circuit Court violating his civil rights  
(Communication)

JAN 13 2010

PLACED ON FILE

Filed JAN 08 2010

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By 

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
1. Fritz		
2. Fish		
3. Saltzman		
4. Leonard		
Adams		