



# CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

## Hearings Office

1900 SW 4<sup>th</sup> Avenue, Room 3100

Portland, OR 97201

phone: (503) 823-7307 - fax: (503) 823-4347

web: [www.portlandoregon.gov/auditor/hearings](http://www.portlandoregon.gov/auditor/hearings)



## HEARINGS OFFICER'S ORDER

### APPEAL OF CHARLES GOLDBERG

CASE NO. 3110070

[Police Bureau Case No. 11-10724]

PARK: Sellwood Park

DATE OF HEARING: March 18, 2011

### APPEARANCES:

Mr. Charles Goldberg, Appellant

Mr. Kurt Nelson, for the City

HEARINGS OFFICER: Mr. Gregory J. Frank

### FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Mr. Charles Goldberg appeared at the hearing. Mr. Kurt Nelson, City of Portland Park Ranger, appeared as the City of Portland representative. The Hearings Officer admitted Exhibits 1 through and including 8.

During the hearing on March 18, 2011, Mr. Goldberg and Mr. Nelson requested an opportunity to engage in a discussion regarding a settlement. Mr. Goldberg and Mr. Nelson presented a proposed settlement agreement to the Hearings Officer (Exhibit 8). The Hearings Officer finds the representations and terms of the proposed settlement are reasonable and appropriate. The Hearings Officer adopts the proposed settlement as part of these findings and attaches Exhibit 8 to this Order. The Hearings Officer finds that the representations and terms contained in Exhibit 8 should bind both Mr. Goldberg and the City.

### ORDER AND DETERMINATION:

1. Exhibit 8 is incorporated herein, by this reference, and shall bind the City and Mr. Goldberg to its representations and terms.

2. This order has been mailed to the parties on March 18, 2011.
3. This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: March 18, 2011

  
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Gregory J. Frank, Hearings Officer

GJF:rs

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Appeal form page 1a	Complaint Signer's Office,	Received
1a	2/15/11 letter from Cynthia L. Barrett	Complaint Signer's Office,	Received
1b	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
2	Appeal form page 2	Complaint Signer's Office,	Received
3	Special Report	Complaint Signer's Office,	Received
4	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
4a	Issuing Person's Sworn Statement/Affidavit	Complaint Signer's Office,	Received
5	Mailing List	Hearings Office	Received
6	Hearing Notice	Hearings Office	Received
7	Address	Goldberg, Charles	Received
8	Stipulated Agreement	Goldberg, Charles	Received

RECEIVED

MAR 18 2011

HEARINGS OFFICE

AN AGREEMENT BETWEEN CITY OF  
Portland, Parks + Recreation and  
Charles Goldberg on Park Exclusion  
Appeal Cases # 3110070 and 3110071.

THAT BOTH parties agree TO  
these FACTS:

1) ON JAN. 11, 2011, MR Goldberg  
had his dog OFF-leash in Sellwood  
Park in violation of PCC 20.12.140 -  
Animals and that he provided a  
False Name to Park Rangers in  
violation of PCC 20.12.240 OBEY PARK  
OFFICER

2. ON Feb 6, 2011, MR Goldberg  
had his dog OFF-leash in Sellwood  
Park in violation of 20.12.140 and  
he provided PARK RANGERS a False  
NAME in violation of PCC 20.12.240.

THAT AS A RESULT OF THIS  
agreement, the City Agrees to make  
the two PARK EXCLUSIONS Park Warning  
in exchange FOR MR Goldbergs  
STIPULATION TO the FACTS and his  
agreement TO OBEY The leash laws  
in Portland Parks

CITY OF PORTLAND  
HEARINGS OFFICE  
Exhibit #8  
Case # 3110070  
Bureau Case # 11-10724

Kurt Nelson  
Parks + Recreation

3/18/11

Charles Gold Ber