



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

Hearings Office

1900 SW 4th Avenue, Room 3100

Portland, OR 97201

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

web: www.portlandoregon.gov/auditor/hearings



HEARINGS OFFICER'S ORDER

APPEAL OF CHARLES GOLDBERG

CASE NO. 3110071

[Police Bureau Case No. 11-10712]

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 11.

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 10). The Hearings Officer finds the representations and terms of the proposed settlement are reasonable and appropriate. The Hearings Officer finds that the representations and terms contained in Exhibit 10 shall bind both Mr. Goldberg and the City.

ORDER AND DETERMINATION:

1. Exhibit 10 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


 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
5	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
5a	Issuing Person's Sworn Statement/Affidavit	Complaint Signer's Office,	Received
6	Park Rangers Special Report	Complaint Signer's Office,	Received
7	Multnomah County Animal Services Citation Report Forms	Complaint Signer's Office,	Received
8	Mailing List	Hearings Office	Received
9	Hearing Notice	Hearings Office	Received
10	Stipulated Agreement	Nelson, K.	Received
11	Address	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 #10
Case # 3110071
Bureau Case # 11-10712

KURT NELSON
Parks + Recreation

3/18/11

Charles Goldberg