



# CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

## Hearings Office

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## HEARINGS OFFICER'S ORDER

### APPEAL OF CHARLES GOLDBERG

CASE NO. 3110097

[Police Bureau Case No. 11-15060]

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. Goldberg appeared at the hearing on March 18, 2011. Mr. Kurt Nelson, City of Portland Park Ranger, appeared at the hearing on March 18, 2011. The Hearings Officer admits Exhibits 1 through and including 9 into the evidentiary record. The Hearings Officer, with concurrence of Mr. Goldberg and Mr. Nelson, found that the Notice of Exclusion issued to Mr. Goldberg on February 22, 2011 was issued improperly. The Hearings Officer finds the Notice of Exclusion From City of Portland Park issued to Mr. Charles Goldberg on February 22, 2011 is not valid.

### ORDER AND DETERMINATION:

1. The Notice of Exclusion From City of Portland Park issued to Mr. Charles Goldberg on February 22, 2011 is not valid; Appellant prevails in his appeal.
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	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
6	Issuing Person's Sworn Statement/Affidavit	Complaint Signer's Office,	Received
7	Mailing List	Hearings Office	Received
8	Hearing Notice	Hearings Office	Received
9	Address	Goldberg, Charles	Received