

**ANNOTATED AGENDA FOR THE
MEETINGS OF THE
BOARD OF COMMISSIONERS**

Tuesday, March 30, 2004 - 9:00 AM to 1:00 PM

The Century Room at the Century Hotel

8185 SW Tualatin Sherwood Road

I-5 South to Exit 289, Right on Nyberg to Tualatin Sherwood Road

THREE COUNTY REGIONAL MEETING

Multnomah County Chair Diane Linn convened the meeting at 9:20 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito and Maria Rojo de Steffey present, and Commissioner Lonnie Roberts excused; Clackamas County Chair Bill Kennemer, Vice-Chair Martha Schrader and Commissioner Larry Sowa present; and Washington County Chair Tom Brian, Vice-Chair Dick Schouten and Commissioners John Leeper and Andy Duyck present, and Commissioner Roy Rogers arriving at 10:04 a.m.

JM-1 The Multnomah County Board of Commissioners is hosting a regional meeting of the Clackamas, Washington and Multnomah County Commissioners. The purpose of this meeting is to discuss the interests of the counties and the possibility of mental health coordination. This meeting is open to the public.

MELINDA MOWERY, CLACKAMAS COUNTY; DERALD WALKER, SETH LYON AND AMY BAKER, MULTNOMAH COUNTY; AND ROD BRANYAN, WASHINGTON COUNTY PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING DIFFERENCES AND SIMILARITIES OF MENTAL HEALTH TREATMENT SERVICES; LEGISLATIVE ISSUES. JOHN BALL AND JON MANTAY PARTICIPATION IN BOARD DISCUSSION REGARDING ASSOCIATION OF OREGON COUNTIES COMMUNICATIONS; LEGISLATIVE DELEGATION; AND POSSIBLE ITEMS OF DISCUSSION FOR NEXT REGIONAL MEETING.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:00 p.m.

Wednesday, March 31, 2004 - 4:00 PM to 6:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

Chair Diane Linn convened the meeting at 4:00 p.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts present; and Commissioner Maria Rojo de Steffey arriving at 4:03 p.m.

PH-1 The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

CHAIR LINN WELCOMED ALL AND ADVISED THAT COMMISSIONER ROJO WILL BE ALONG SHORTLY AS SHE IS COMING FROM ANOTHER MEETING. CHAIR LINN ADVISED THAT TESTIMONY WOULD BE LIMITED TO TWO MINUTES PER PERSON TO ALLOW EVERYONE THE OPPORTUNITY TO SPEAK; AND REMINDED THE AUDIENCE TO BE RESPECTFUL TO ALL.

CHRISTINE SJOGREN; JUDITH VEAZEY; KELLY WHITTY; TESS FIELDS; DAMION MOYER-SIMS; DAVID MAYNARD; GLENNA SHEPHERD; TIFFANY HARRIS; APRIL LEWIS; CAROL FRENCH; TOM POTTER; VERLIN BYERS; VICTORIA GUILLEBEAU AND JOHN SCHWEIBERT TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROGER BROWN TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. W. J. MARK KNUTSON AND KATHLEEN SAADAT TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. GREG ALLEN; KAREN MEYER; JULIE SOUTHGATE AND JOY AASEN TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. LINDA DONSKY; THOMAS LUCKETT AND NORM COSTA TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JAEHEE

RANCOURT TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. GABRIEL DALESON AND COREY MICHAEL BRUESCH TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. THOMAS VALENCIA TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. HELENA CARLSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. HELEN STANLEY TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. PER FAGERENG TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. YACOV NATAN LAWRENCE TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KAREN WELLS TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROBERT ZIEMER AND ARTHUR WAHLERS TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. LIZ SCHLOSSER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ALEC VESELY TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ERIKA SILVER; JOE AYERS AND RICHARD NELSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CAROLYN MCCULLOCH; TUCK PUTNAM AND RUSSELL PERRONE TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE

LICENSES TO SAME SEX COUPLES. JOSEPH WOLF TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KEITH FARRIS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DOUG MOXLEY; SCOTT WEAVER AND JOSH GRAHAM TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:01 p.m.

Wednesday, March 31, 2004 - 7:00 PM to 9:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

Chair Diane Linn convened the meeting at 7:00 p.m., with Commissioners Lonnie Roberts and Maria Rojo de Steffey present; Vice-Chair Serena Cruz arriving at 7:03 p.m.; and Commissioner Lisa Naito arriving at 7:04 p.m.

PH-2 The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

CHAIR LINN WELCOMED ALL AND ADVISED THAT TESTIMONY WOULD BE LIMITED TO TWO MINUTES PER PERSON TO ALLOW EVERYONE THE OPPORTUNITY TO SPEAK; AND REMINDED THE AUDIENCE TO BE RESPECTFUL TO ALL.

BONNIE TINKER AND ABBY HAYWOOD TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MIKE LOWRY TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS

UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MARTIN BROWN AND MARIANNE CHIMI TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MICHAEL MAUCK TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. ALISA SIMMONS; CHERYL VEAZEY; WARREN JAMES; DON JOHNSON; ANN DUFFY; MARCUS DOMINGUES; RICK FERNÁNDEZ; MARTIN GONZALEZ; MORGAN MILLER; JAMIE BOLYARD AND SHERYL AND SUSAN ANDERSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JOE BOBZIEN TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JOHN GARLINGTON TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JIM ROBISON TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. BRUCE PATTON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROSEMARY ADAMSKI MARLOTT TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. LARRY CRAPO; CORNEL TUDORACHE AND RICHARD PAUL WELLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ELLEN BENNETT; CAYLOR ROLING AND CAROL BOEHM TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CAROL DAGUE READ STATEMENT OF STEVE MYERS IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. DOUGLASS RENFROW; KAREN KEENEY; AUDREY SIENKIEWICZ AND NANCY CLARK TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

STUART RANCOURT TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. KEVIN BAILY-GILLIAM; CATHERINE SALVESON; PETER EMERSON; JIM EMERSON; FAITH WOLFSON AND MITCH ZAHN TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JEFF MATTSON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KIM BARIGAR AND CHRISTINE TANNER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KENTON JOHNSON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DEE VON ENTRESS AND CHUCK KISSELBURG TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. LOUIS BELL TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. SHAWN BERTHEL AND SEAN GABE TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

The meeting was recessed at 8:57 p.m. and reconvened at 9:07 p.m.

MICHAEL CHURCHILL; PAM PERRY; CECIL PRESCOD AND DIXIE HOBACK TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. BARRY MOWER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MARION HAMMER; CM HALL; WALTER F. BROWN; MARY BROWN AND R. NICKI NICOLO TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. BRYCE DAVIS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE

LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. BERNIE CONSTANTINE AND PAULA CASNER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. STEPHEN HUI TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. JEANNA SUMMERS; HOLLY HEIN; CHARITY WARREN; MARGARET HAMMITT-MCDONALD; KARRIE WALTERS AND ALISON PASSALAQUA TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KAREN PROCTOR AND CURT LAYLOCK TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. BRENT CARTER; ANTONIA STRENGTH; GINHEE RANCOURT AND JUDAH MIGHTY WARRIOR RANCOURT TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:10 p.m.

Thursday, April 1, 2004 - 9:00 AM to 9:30 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Diane Linn convened the meeting at 9:00 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

E-1 The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h). Only Representatives of the News Media and Designated Staff are allowed to Attend. Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session. No Final Decision will be made in the Executive Session. Presented by Agnes Sowle.

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:15 a.m.

Thursday, April 1, 2004 - 9:30 AM to 12:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Diane Linn convened the meeting at 9:32 a.m., with Vice-Chair Serena Cruz and Commissioners Lonnie Roberts and Maria Rojo de Steffey present, and Commissioner Lisa Naito arriving at 9:33 a.m.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-4) WAS APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND LINN VOTING AYE.

NON-DEPARTMENTAL

C-1 Appointments of Joe Ryan, William Ross, Judith Booze, Steve Walsh, Jeff Kaiser, Lee Wolbert and Greg Olson to the MULTNOMAH COUNTY BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE

C-2 Appointment of Gary Marchke to the CITIZEN INVOLVEMENT COMMITTEE

SHERIFF'S OFFICE

C-3 Government Non-Expenditure Contract (190 Agreement) 0310510 to Form and Participate in the Regional Economic Crime Investigation Center

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

C-4 RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1992/1993 through 2003/2004
RESOLUTION 04-031.

Commissioner Naito arrived at 9:33 a.m.

REGULAR AGENDA
PUBLIC COMMENT

Public comment was made and received for the record.

NON-DEPARTMENTAL

R-1 PROCLAMATION Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-1. KATHLEEN TODD EXPLANATION AND RESPONSE TO QUESTION OF COMMISSIONER ROBERTS. GARY MARCHKE READ PROCLAMATION. COMMISSIONER NAITO AND CHAIR LINN COMMENTS IN APPRECIATION. PROCLAMATION 04-032 UNANIMOUSLY APPROVED.

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY

R-2 NOTICE OF INTENT to Submit a Proposal for a Summer Food Program Expansion Grant to the United Way of the Columbia-Willamette

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-2. JOSHUA TODD EXPLANATION AND COMMENTS IN SUPPORT. NOTICE OF INTENT UNANIMOUSLY APPROVED.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-3 THROUGH R-8. GREG HERLEAN EXPLANATION. RESOLUTIONS 04-033 THROUGH 04-038 UNANIMOUSLY ADOPTED.

R-3 RESOLUTION Declaring Property within the Mead Building, 421 SW 5th Avenue, Portland, Oregon, to be Surplus and Approving a Real Property Lease to Elders in Action

RESOLUTION 04-033.

R-4 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Loaves and Fishes Centers, Inc.

RESOLUTION 04-034.

R-5 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Independent Living Resources, Inc.

RESOLUTION 04-035.

R-6 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Gresham Seniors United

RESOLUTION 04-036.

R-7 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to YWCA of Portland, Inc.

RESOLUTION 04-037.

R-8 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Ride Connection

RESOLUTION 04-038.

NON-DEPARTMENTAL

R-9 Bridge Lighting Plan and Proposed Agreement for Hawthorne Bridge Lighting. Presented by Pauline Anderson and Paddy Tillett (Willamette Light Brigade), Amy Joslin (County Sustainability Initiative), and Jon Henrichsen (County Bridge Section).

COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-9. PAULINE ANDERSON, AMY JOSLIN AND PADDY TILLET

EXPLANATION AND RESPONSE TO BOARD COMMENTS IN APPRECIATION AND SUPPORT. AGREEMENT UNANIMOUSLY APPROVED.

R-10 PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses

[FROM MARCH 25, 2004 BOARD MEETING: UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, CONSIDERATION OF SUBSTITUTE RESOLUTION APPROVING CHAIR'S ADMINISTRATIVE DECISION REGARDING MARRIAGE LICENSES WAS APPROVED, WITH COMMISSIONERS NAITO, CRUZ, ROJO AND LINN VOTING AYE, AND COMMISSIONER ROBERTS VOTING NO.]

CHAIR LINN WELCOMED ALL AND ADVISED THAT TESTIMONY WOULD BE LIMITED TO TWO MINUTES PER PERSON TO ALLOW EVERYONE THE OPPORTUNITY TO SPEAK. CHAIR LINN REMINDED THE AUDIENCE TO BE RESPECTFUL TO ALL.

BARBARA BELLUS TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. RAYMOND SABA TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. MARK PIERCE TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROBERT LEVERENZ; JAMIE MAUL; PAT MAHONE; MICHAEL SORENSEN; SUSAN LINDSAY AND SHO DOZONO TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. RAYMOND LOVE; NANCY CHRISTENSON AND AL BACON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. JOSHUA ULRICH TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JIM SNIDER TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. M'LOU CHRIST TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO

SAME SEX COUPLES; AND IN SUPPORT OF THE GOVERNMENT GRANTING LEGAL UNIONS. MARLA ROSENBERGER; MARY BOTKIN AND MOSES ROSS TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. TAMMY CASTERLINE AND ELVA MILLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ELLEN EATON AND LINDA TRAEGER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MYRNA MOSS; BRIAN SIMMONS; IAN CRARY AND RONALD MILLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. MIKE MACCUTCHEON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JILL METCALF TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JOSH ROBERTS; ROBIN CASTRO; JUDITH YOUNGMAN; DAVE DORNACK; BARBARA CARNEGIE CAMPBELL AND STEVE WITTE TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. GORMAN GRAY; HARRY WAYNE STEWART, JR. AND JOHN GORDON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CHRISTOPHER ROBINSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. PHYLLIS ERNSBERGER AND TERRY MILLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. TIMOTHY BERG TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROBERT FARRIS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES

BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DARRELL DIMOTTE TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. TED KRIESEL TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. FRANK LESSA TESTIMONY IN SUPPORT OF THE GOVERNMENT GRANTING LEGAL UNIONS. ROGER STEFFANI TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO

ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. KATHY BELGE TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MUNDI STEINER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ANTHONY RICHARDS TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CARLY DENOS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DONNA OH TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JEFF STRANG; MOLLIE CLARKE; STEVE WAGENHOFFER AND BONNIE TINKER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

COMMISSIONERS NAITO, ROJO AND CRUZ AND CHAIR LINN EXPRESSED THEIR APPRECIATION FOR THE PHONE CALLS, EMAILS AND PUBLIC TESTIMONY THEY HAVE RECEIVED, THANKED THOSE WHO CAME TO THE HEARINGS MADE POSSIBLE BY COMMISSIONER ROBERTS TO SHARE THEIR STORIES; AND COMMENTED IN SUPPORT OF THEIR POSITION IN SUPPORT OF THE LEGAL

OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

RESOLUTION 04-039 APPROVING CHAIR'S ADMINISTRATIVE DECISION REGARDING MARRIAGE LICENSES ADOPTED, WITH COMMISSIONERS NAITO, CRUZ, ROJO AND LINN VOTING AYE, AND COMMISSIONER ROBERTS VOTING NO.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:29 p.m.

Submitted by:

Lynda J. Grow, Board Clerk

Marina Baker, Assistant Board Clerk and

Shirley Luo, Intern

Board of County Commissioners

Multnomah County