



TUALATIN CITY COUNCIL MEETING

Monday, October 27, 2025

TUALATIN CITY SERVICES
10699 SW HERMAN ROAD
TUALATIN, OR 97062

Mayor Frank Bubenik
Council President Valerie Pratt
Councilor Maria Reyes Councilor Bridget Brooks
Councilor Christen Sacco Councilor Cyndy Hillier
Councilor Octavio Gonzalez

To the extent possible, the public is encouraged to watch the meeting live on local cable channel 28, or on the City's website.

For those wishing to provide comment during the meeting, there is one opportunity on the agenda: Public Comment. Written statements may be sent in advance of the meeting to Deputy City Recorder Nicole Morris up until 4:30 pm on Monday, October 27. These statements will be included in the official meeting record, but not read during the meeting.

For those who would prefer to make verbal comment, there are two ways to do so: either by speaking in person or entering the meeting using the zoom link and writing your name in chat. As always, public comment is limited to three minutes per person.

Phone: +1 669 900 6833

Meeting ID: 861 2129 3664

Password: 18880

Link: <https://us02web.zoom.us/j/86121293664?pwd=SS9XZUZyT3FnMk5rbDVKN2pWbnZ6UT09>

Work Session

- 1. 6:00 p.m. (30 min) – Parks and Trails Project Update.** Staff will present the status of Park and Trail projects funded by the bond, utility fee fund, and the park development fund.
 - 2. 6:30 p.m. (10 min) – Request for Council Presentation.** The Tualatin High School Grad Night Committee has submitted a request to make a presentation to the Council asking for funding for the Sober Grad Night Committee. According to Council Policy, this is a Tier 4 request and as such requires prior Council approval before being added to the agenda.
 - 3. 6:40 p.m. (20 min) – Council Meeting Agenda Review, Communications & Roundtable.** Council will review the agenda for the October 27 City Council meeting, hear a report from the Assistant City Manager, and brief the Council on issues of mutual interest.
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7:00 P.M. CITY COUNCIL MEETING

Call to Order

Pledge of Allegiance

Announcements

- [1.](#) Proclamation Declaring October 23-31, 2025 Red Ribbon Week in the City of Tualatin
- [2.](#) Proclamation Declaring November 2025 as Native American Heritage Month in the City of Tualatin
3. New Employee Introduction- Human Resource Assistant Cathie Recker
4. New Employee Introduction- Finance Accountant Julie Ziurinskas

Public Comment

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

Consent Agenda

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda.

- [1.](#) Consideration of Approval of the Work Session and Regular Meeting Minutes of September 22, 2025
- [2.](#) Consideration of Approval of a New Liquor License Application for Bull Mountain Management LLC dba Apex Golf Club
- [3.](#) Consideration of Approval of a New Liquor License Application for Child Logistics Inc.
- [4.](#) Consideration of Approval of a New Liquor License Application for PJM LLC dba Lee's Kitchen
- [5.](#) Consideration of **Resolution No. 5920-25** Authorizing the City Manager to Execute an Intergovernmental Agreement with the Department of Consumer and Business Codes Division and other Municipalities for the Purpose of Providing Building Services, Plan Review Services, or Inspection Services to One Another
- [6.](#) Consideration of **Resolution No. 5921-25** Authorizing the City Manager to Sign an Intergovernmental Agreement with Metro for the Operation of the Sharps Collection Box Pilot Program
- [7.](#) Consideration of **Resolution No. 5922-25** Authorizing Amendment No. 1 to the Contract with Consor for Engineering Services for the Water Reservoir & Pump Station at ASR Project

8. Consideration of **Resolution No. 5923-25** Authorizing the City Manager to Apply for and Accept Community Development Block Grant Funds to Install Flashing Beacons for Pedestrian Safety
9. Consideration of **Resolution No. 5925-25** Authorizing the Purchase and Replacement of Tualatin Community Park Playground Equipment and Surface through an Interstate Cooperative Procurement Program

Public Hearings - Legislative or Other

1. Consideration of **Ordinance No. 1453-25** Amending Chapter 4-01- Building Codes, of the Tualatin Municipal Code to Adopt State of Oregon Building Codes By Reference

General Business

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Resolution No. 5924-25** Adopting the City of Tualatin Food, Beverage and Apparel Policy for Elected and Appointed City Public Officials
2. Consideration of **Ordinance No. 1452-25** Imposing a 0.3% Privilege Tax on Portland General Electric Company

Items Removed from Consent Agenda

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

Council Communications

Adjournment

Meeting materials, including agendas, packets, public hearing and public comment guidelines, and Mayor and Councilor bios are available at www.tualatinoregon.gov/citycouncil.

Tualatin City Council meets are broadcast live, and recorded, by Tualatin Valley Community Television (TVCTV) Government Access Programming. For more information, contact TVCTV at 503.629.8534 or visit www.tvctv.org/tualatin.

In compliance with the Americans with Disabilities Act, this meeting location is accessible to persons with disabilities. To request accommodations, please contact the City Manager's Office at 503.691.3011 36 hours in advance of the meeting.



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Kira Hein, Project Manager

DATE: October 27th, 2025

SUBJECT:
Parks and Trails Project Update

EXECUTIVE SUMMARY:

City Council adopted the Parks and Recreation Master Plan in 2019. This plan identified the need for parks, trails, recreation facilities, and river access. This planning process involved extensive public outreach and community engagement.

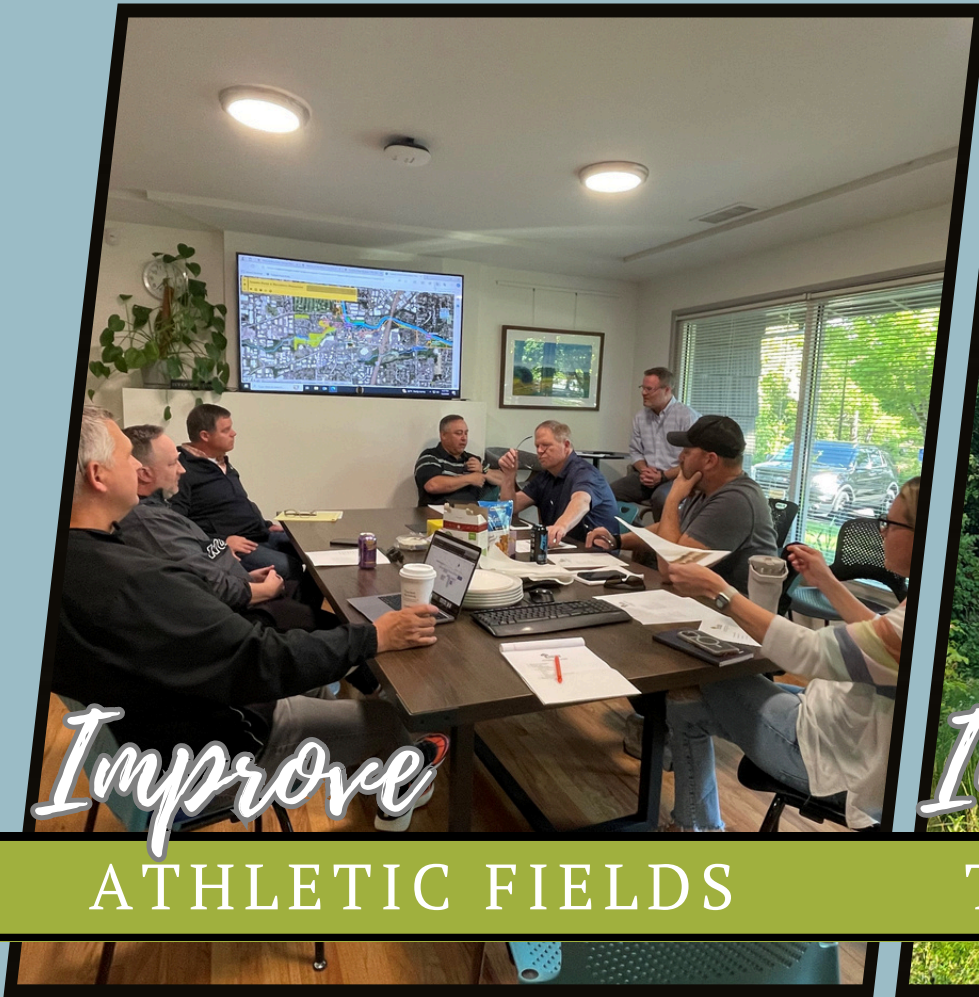
The Parks and Recreation Master Plan demonstrated the need to preserve natural areas and provide active recreation to serve community members. Based on City Council Vision and Priorities, a Parks Funding Measure Committee was formed. The committee recommended a Parks Bond and priority projects to include a voter initiative. Council placed the Parks Bond measure on the November 2022 ballot, which Tualatin voters approved.

Staff will present the status of Park and Trail projects funded by the bond, utility fee fund, and the park development fund.

ATTACHMENTS:

Presentation

PARKS & TRAILS BOND



Improve

ATHLETIC FIELDS



Increase

TRAIL CONNECTIONS

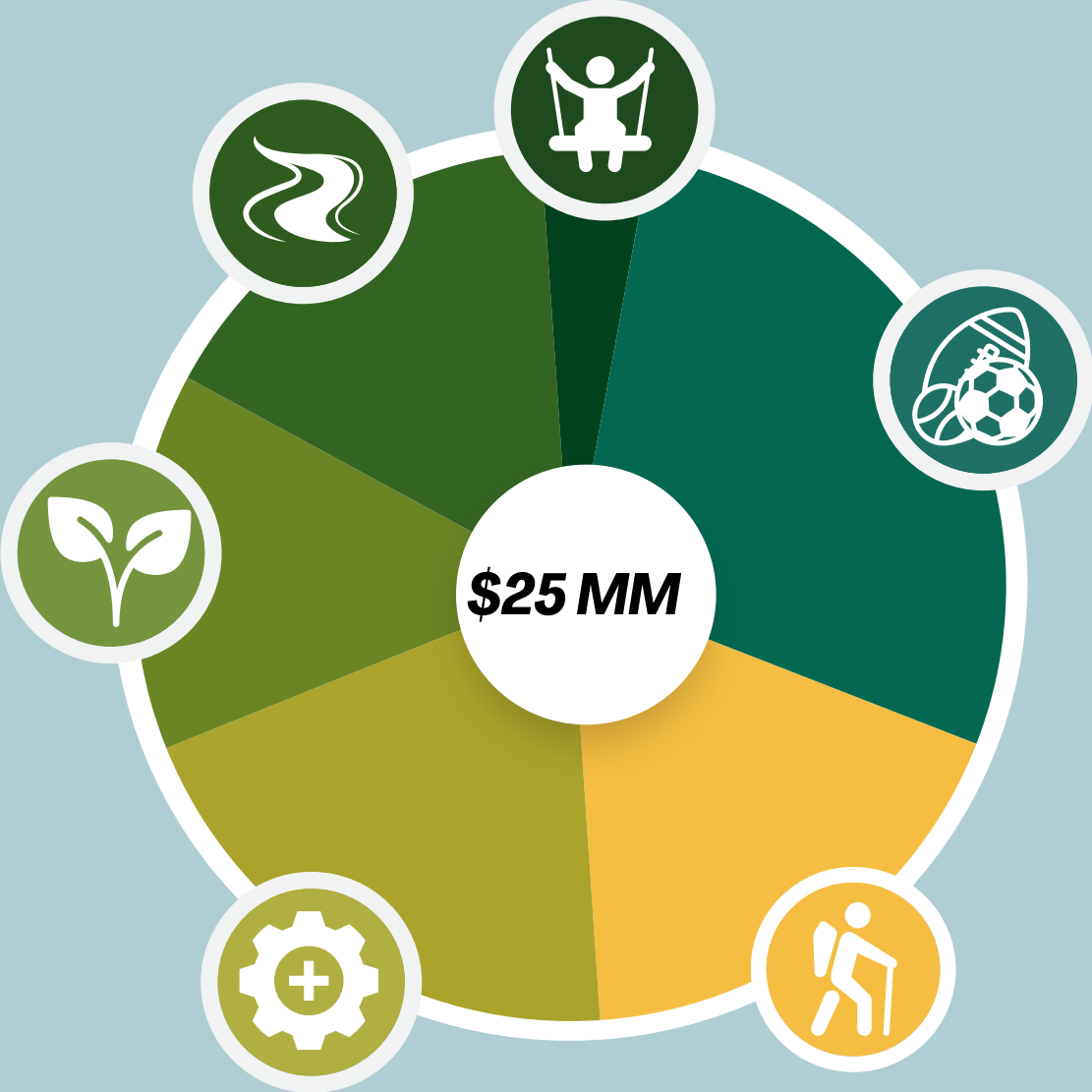


Create

NEW WATER ACCESS

BOND UPDATE - OCTOBER 27TH, 2025

PARKS & TRAILS BOND



TRAIL CONNECTIONS *Est. \$4.5 MM*
NEW TRAIL AT NYBERG CREEK



NEW RIVER ACCESS *Est. \$4 MM*
DOWNTOWN TUALATIN



ATHLETIC FIELDS *Est. \$7 MM*
IMPROVEMENTS



UPGRADES *Est. \$5 MM*
TO EXISTING PARKS



NATURAL AREAS *Est. \$3.5 MM*
ACQUIRE & PROTECT



PLAY EQUIPMENT *Est. \$1 MM*
IMPROVEMENTS

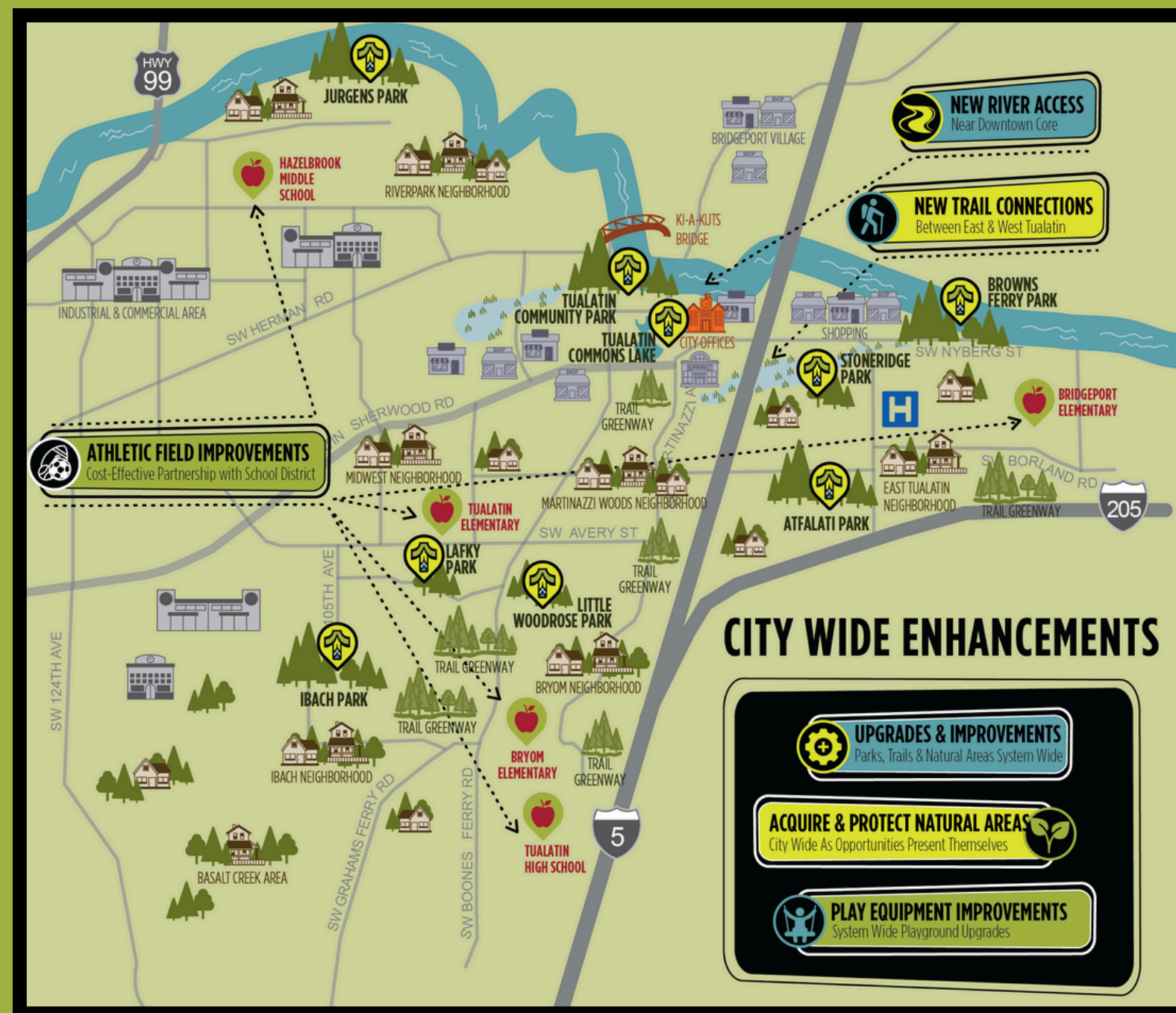


PARKS & TRAILS BOND



COMMUNICATIONS

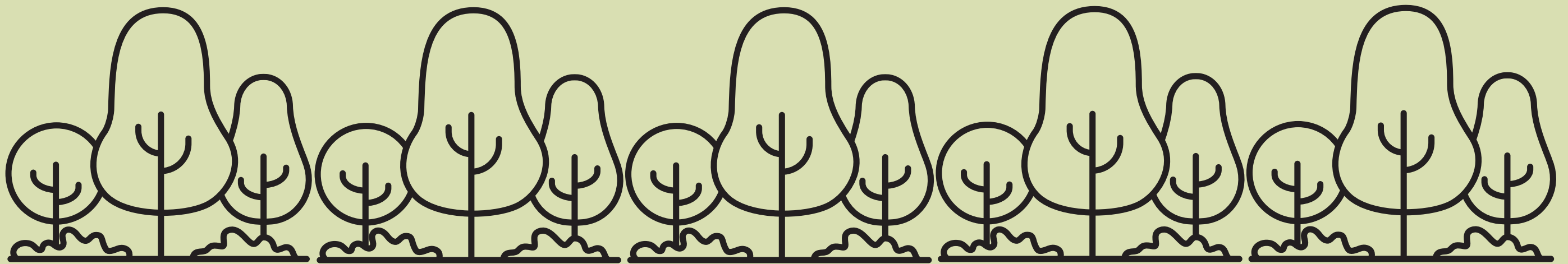
- City Council Meetings
- TPARK Meetings
- Website Updates
- E-mail Blasts
- City E-Newsletters
- Social Media Posts



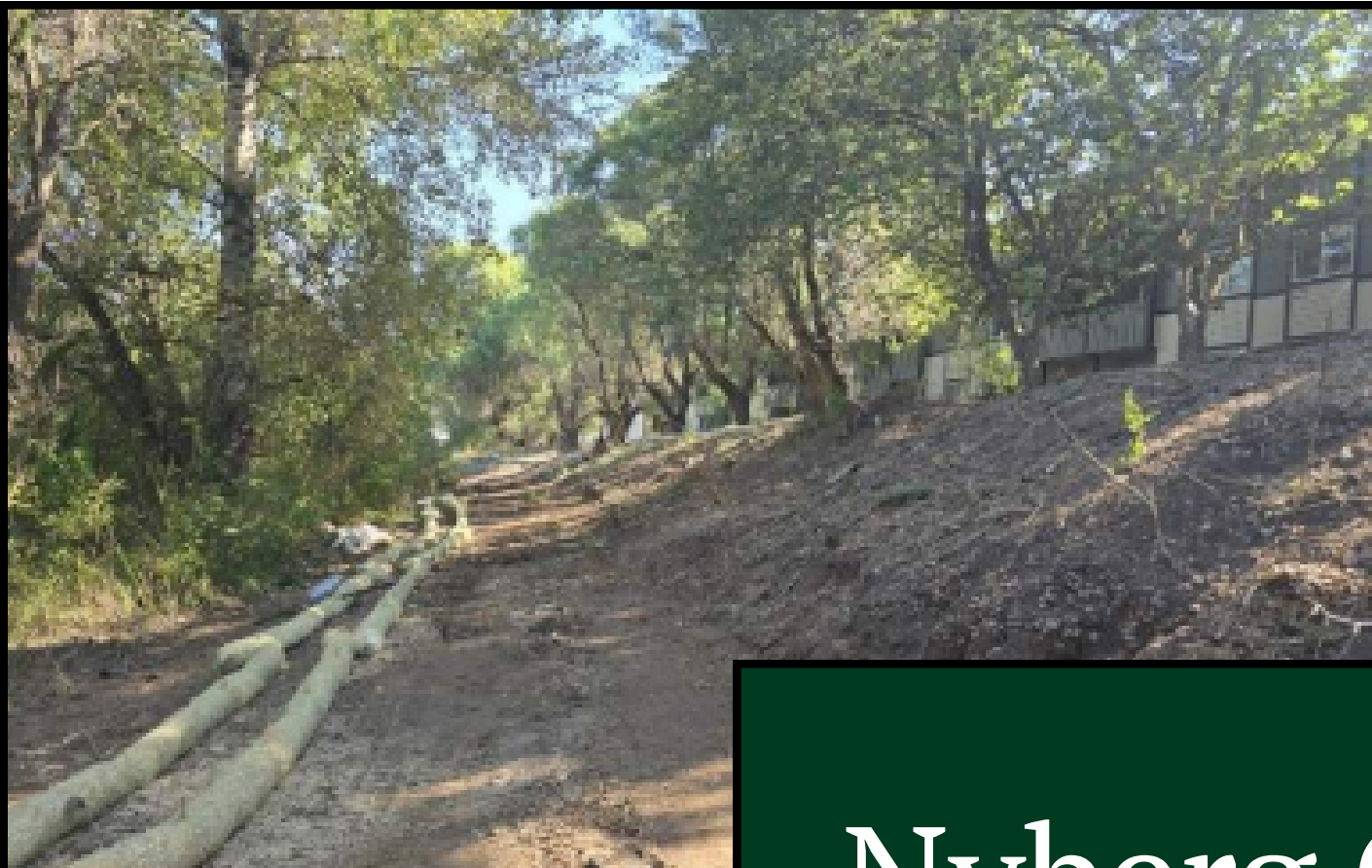


IN PROCESS

- Nyberg Creek Trail Connection
- New River Access
- Athletic Field Investments



TRAIL CONNECTIONS



Nyberg Creek Trail



NYBERG CREEK TRAIL

The Nyberg Creek Trail will be under construction from September 2025 to spring/summer 2026. During construction there will be no through access for bikes or pedestrians.

Trail will feature:

- 8 ft wide hard surface
- 3/4 miles long
- Benches
- Wetland interpretive signage



El sendero Nyberg Creek estará en construcción desde septiembre de 2025 hasta la primavera/verano de 2026. Durante la construcción, no habrá acceso continuo para bicicletas ni peatones.

El sendero tendrá:

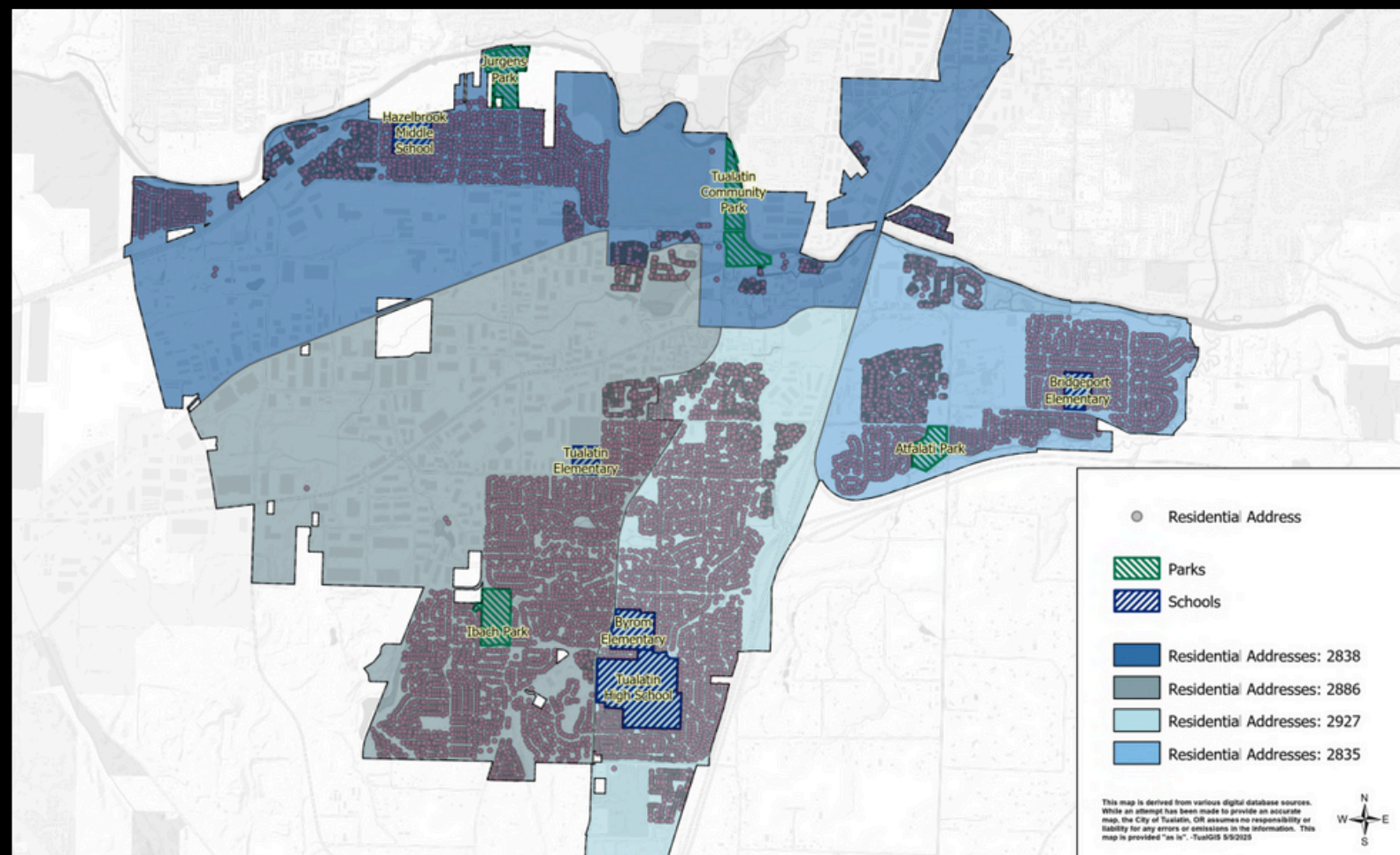
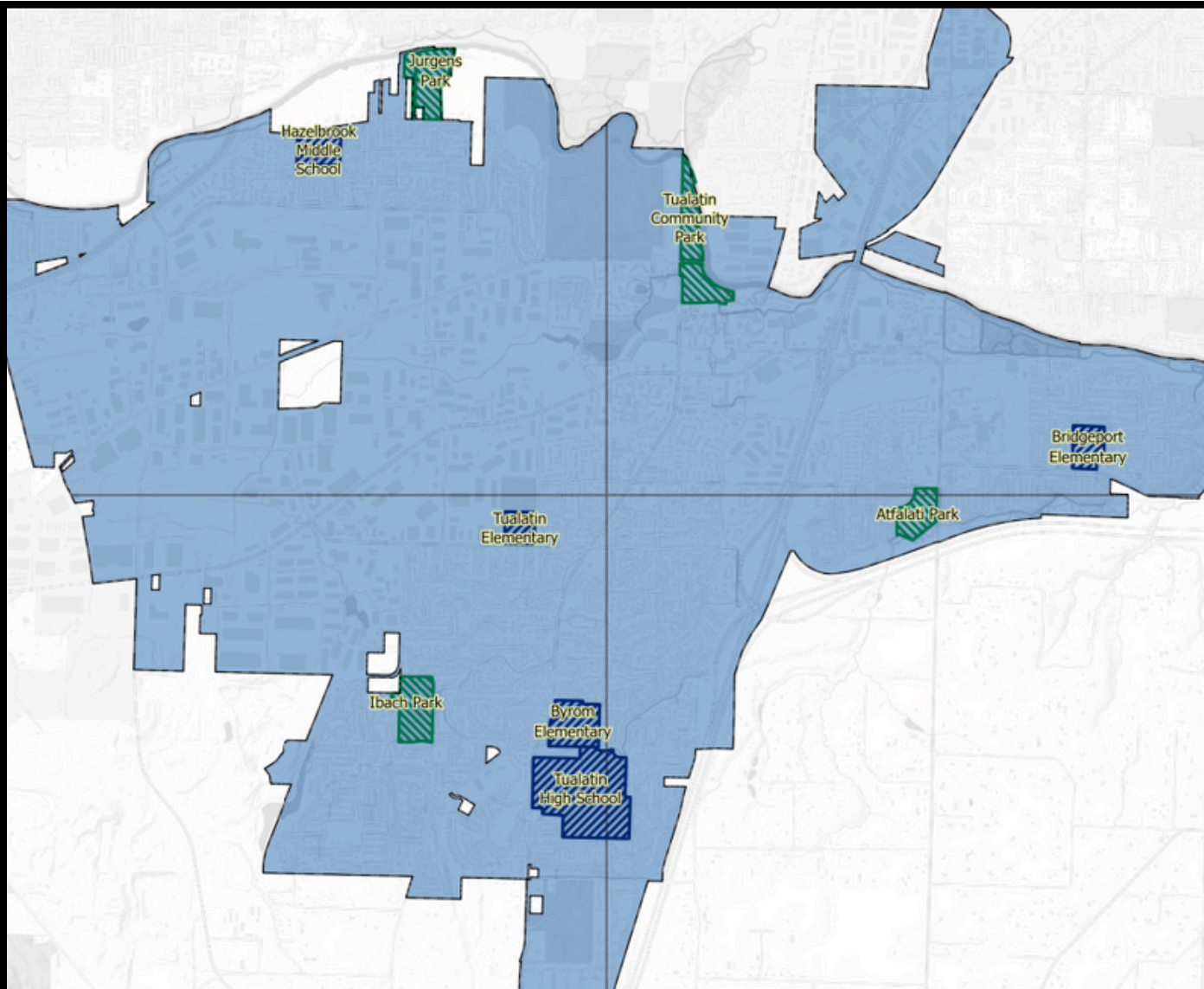
- Una superficie dura de 8 pies (2.4 metros) de ancho
- 3/4 de milla (1.2 km) de longitud
- Bancas
- Señalización con explicaciones sobre el humedal



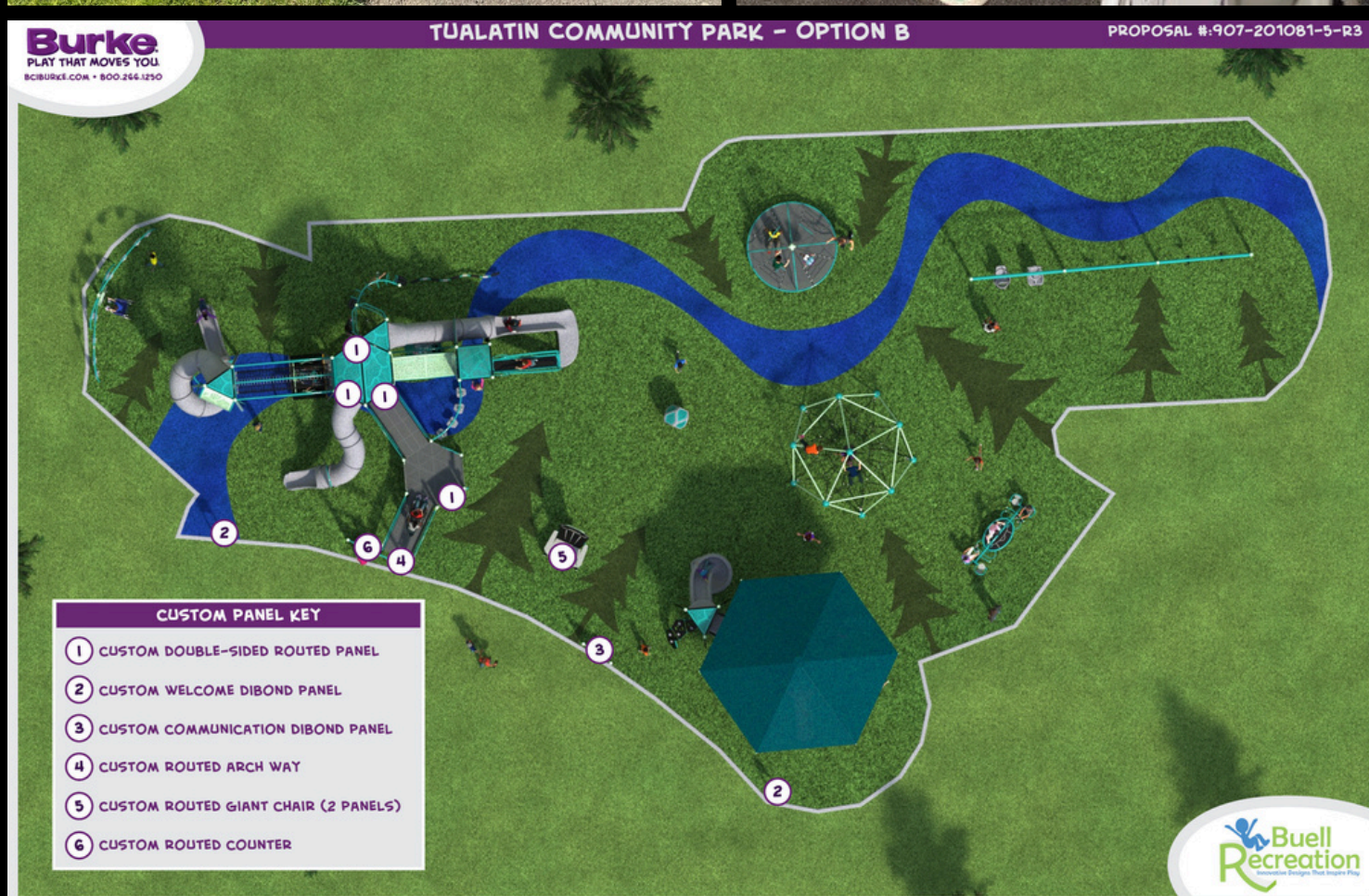
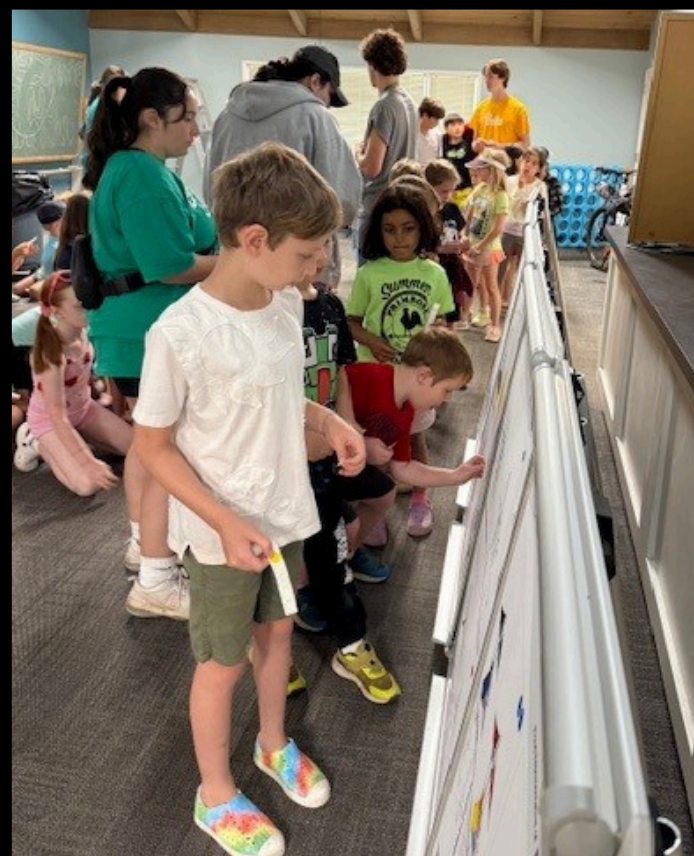
NEW RIVER ACCESS



ATHLETIC FIELD IMPROVEMENTS



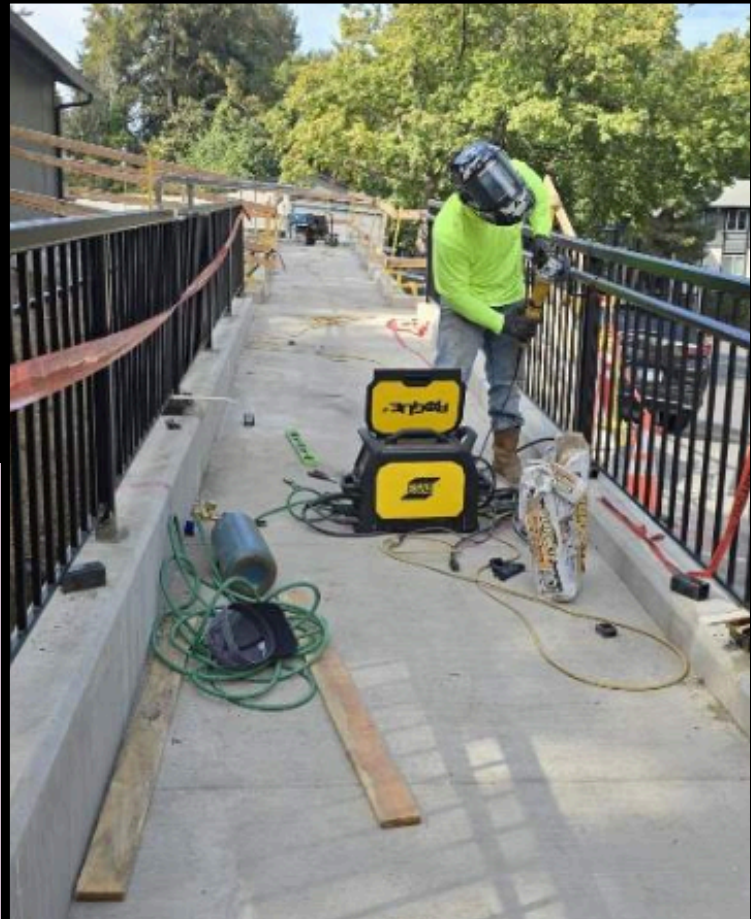
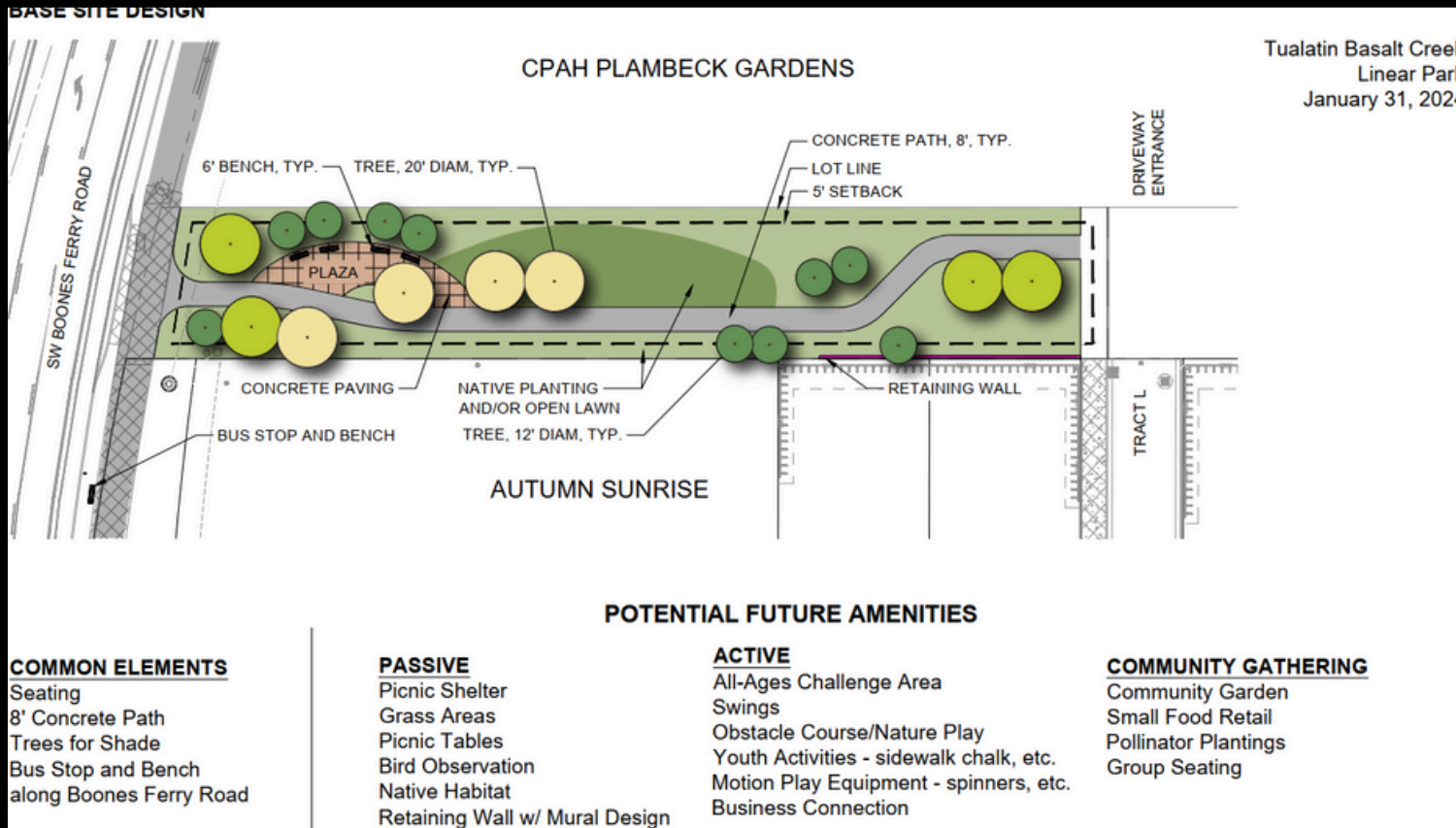
TCP PLAYGROUND



Community Engagement:
435 people over 8 events



Basalt Creek Linear Park



Parque Las Casitas

COMPLETED PROJECTS



2025

- Little Woodrose Trail
- Victoria Woods Staircase
- Veterans Plaza
- Tualatin Community Park Shelter

2024

- Riverfront Park Land Acquisition (3 acres)
- Ki-a-Kuts Bridge Rehabilitation
- Tualatin River Greenway Trail Extension
- Ibach Park Playground
- Jurgens Park Playground
- Tualatin Community Park Field Lights

2023

- Atfalati Park Playground & Picnic Shelter
- Ibach Park Playground
- Basalt Creek Land Acquisition (17 acres)
- Riverfront Park Land Acquisition (3 acres)



PARKS & TRAILS BOND



QUESTIONS & COMMENTS





CITY OF TUALATIN
APPLICATION TO REQUEST A PROCLAMATION
18880 SW MARTINAZZI AVE • TUALATIN, OR 97062
PHONE 503.691.3011

Requests for City Proclamations should be submitted four weeks prior to the requested Council Meeting date. The City Council meets the 2nd and 4th Monday of each month unless otherwise noted. For specific meeting dates, please visit the City of Tualatin website at www.tualatinoregon.gov.

Topic & Purpose of Proclamation:

Donation for Tualatin High School Grad Night

Individual, Agency, or Organization Sponsoring the Proclamation:

Tualatin High School Grad Night Committee

Local Resident Attending Council Meeting to Receive Proclamation:

Karla Adams	503-710-8267
Name	Phone

Note: There is a limit of three proclamations per City Council meeting and selection is made in the order requests are received. Please indicate an alternative meeting date for the event the preferred date is unavailable. While the City does its best to recognize community needs, we retain the right to decide if the proclamation will be issued or not.

Preferred City Council Meeting Date Requested: October 27th, 2025

Alternate City Council Meeting Date: November 10th, 2025

Requested By:	Karla Adams	503-710-8267
	Name	Phone
	P.O. Box 481 Tualatin, OR 97062	Mrs.K.Adams21@gmail.com
	Address	Email

Please attach a draft copy of your one page proclamation to this application or check the box if the proclamation will be the same as the previous year. ☐ Wording will be the same as the previous year.

Return the completed form to: City of Tualatin, Attn: Deputy City Recorder, 18880 SW Martinazzi Ave, Tualatin OR, 97062 or via email to nmorris@tualatin.gov.

For Official Use Only:

Date Request Received	_____		
Approved	_____	Not Approved	_____
Date Proclaimed	_____		
Applicant Notified	_____		

To the Honorable Members of the Tualatin City Council,

I am writing to respectfully request to be added to a city council meeting to discuss the potential of annual funding for the Sober Grad Night Committee to be included in the city's budget. This initiative is a proactive measure to protect our youth, celebrate their achievements responsibly, and strengthen community ties.

Why Sober Grad Night Matters

Graduation night is a joyful milestone—but it's also statistically one of the most dangerous nights for teens. Alcohol-related accidents spike during this season, often with tragic and preventable consequences. By supporting a dedicated committee of parents and community members who plan and fund sober grad night events, Tualatin can take a bold step toward ensuring our students celebrate safely and inclusively.

As the Sober Grad Night Committee, we:

- Coordinate engaging, substance-free celebrations for graduating seniors.
- Partner with local schools, businesses, and law enforcement to maximize impact and participation.
- Promote public safety and youth wellness, aligning with the city's long-term goals.
- Foster community pride and involvement through volunteer opportunities and sponsorships.

We propose annual funding to ensure continuity, growth, and the potential lives saved. This support will empower the committee to secure venues, entertainment, food, and prizes—removing financial barriers and encouraging full participation. It also enables law enforcement to shift from reactive response to proactive partnership, helping prevent tragedies before they occur.

The Tigard City Council currently allocates \$2,500 annually to the Tigard High School Grad Night Committee, funded through proceeds from the Tigard Festival of Balloons. Tualatin hosts an even more prominent event—the Pumpkin Regatta—which draws participants and spectators from around the world. This presents a unique opportunity to support our youth using a celebrated community tradition.

We urge the Council to view this request not merely as a budget item, but as a commitment to the future of Tualatin's youth. Let's make graduation night a celebration of life—not a risk to it.

Thank you for your time, leadership, and dedication to our community.

Yours Truly,

Karla Adams

503-710-8267

Policy for Proclamations & Agenda Item Additions

Purpose:

1. Ensure proclamations and agenda items have majority Council support prior to being placed on the agenda
2. Ensure there is a process for community members and organizations who desire to have a proclamation read or to make a presentation
3. Ensure sufficient flexibility so that not every proclamation or agenda item addition needs Council approval
4. Ensure an atmosphere where proclamations are special and valued

Established Tiers:

1. *Subject matters having to do with the City of Tualatin organization, including programs sponsored by the City of Tualatin.* Example: Employee of the Year, Arbor Week, Volunteer Appreciation Week, National Library Week, National Parks & Recreation Month, Public Works Week.
 - **Tier One subjects do not need prior Council approval to be placed on the agenda**
2. *A branch of government or an organization that the City of Tualatin is funding.* Example: the County, TriMet, Metro, TVF&R, Clean Water Services, WCCCA, WCCLS, Community Action, Historical Society.
 - **Tier Two subjects do not need prior Council approval to be placed on the agenda**
3. *Community partners.* Example: Ride Connection, Metro West (ambulance service), Chamber of Commerce, City Boards & Committees
 - **Tier Three subjects must receive prior approval.**
4. *Other.* Example: Future Business Leaders of America Week, Human Rights Week, Ad Hoc Groups (Aging Task Force)
 - **Tier Four subjects must receive prior approval**

Process / Guidelines:

- No more than 3 proclamations should be on any one Council agenda.
- The City Manager always has the discretion to ask for Council approval before processing a proclamation or putting an item on the agenda.
- Requests for a proclamation or agenda item should be submitted four weeks prior to the requested Council meeting date.
- If a City Councilor is the sponsor of a Tier 3 or 4 subject, the Councilor should make the request under Council Communications at either a work session or a business meeting. Four affirmative votes are required in order to place an item on a future agenda.
- Requests can be made for Tier 3 or 4 subjects by:
 - Filling out the Application to Request a Proclamation
 - Appearing before the Council under Public Comments at a Council Business Meeting and requesting Council approval to agendaize the item
 - Getting a Council Sponsor to raise the item
- Tier 3 and 4 subjects are requested to submit a draft of their one-page proclamation along with their Application.

ATTACHMENT: Application to Request a Proclamation



CITY OF TUALATIN
APPLICATION TO REQUEST A PROCLAMATION
18880 SW MARTINAZZI AVE • TUALATIN, OR 97062
PHONE 503.691.3011

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Topic & Purpose of Proclamation:

Individual, Agency, or Organization Sponsoring the Proclamation:

Local Resident Attending Council Meeting to Receive Proclamation:

Name

Phone

Note: There is a limit of three proclamations per City Council meeting and selection is made in the order requests are received. Please indicate an alternative meeting date for the event the preferred date is unavailable. While the City does its best to recognize community needs, we retain the right to decide if the proclamation will be issued or not.

Preferred City Council Meeting Date Requested: _____

Alternate City Council Meeting Date: _____

Requested By: _____

Name

Phone

Address

Email

Please attach a draft copy of your one page proclamation to this application or check the box if the proclamation will be the same as the previous year. ☐ Wording will be the same as the previous year.

Return the completed form to: City of Tualatin, Attn: Deputy City Recorder, 18880 SW Martinazzi Ave, Tualatin OR, 97062 or via email to nmorris@tualatin.gov.

For Official Use Only:

Date Request Received _____

Approved _____ Not Approved _____ Applicant Notified _____

Date Proclaimed _____



Proclamation

WHEREAS, the City of Tualatin values the health, safety, and well-being of every member of our community; and

WHEREAS, the pervasive issues of substance misuse and illegal drug trafficking impact families, schools, and neighborhoods nationwide, and present unique challenges within the City of Tualatin, requiring a comprehensive and collaborative response; and

WHEREAS, the City of Tualatin demonstrates a strong commitment to youth well-being through robust partnerships with local schools, engaged parents, dedicated law enforcement officers, proactive community coalitions such as Tualatin Together, the Oregon-Idaho HIDTA, National Guard Counterdrug Drug Demand Reduction Outreach (DDRO), and supportive local organizations, all working collaboratively to provide vital education, resources, and positive opportunities for our youth; and

WHEREAS, Red Ribbon Week serves as a powerful reminder that the prevention of substance misuse and the promotion of awareness are shared responsibilities requiring the active participation of all community members – schools, parents, law enforcement, community coalitions, and local organizations – and symbolizes the City of Tualatin’s unwavering commitment to fostering a strong and thriving community where our youth can live healthy, fulfilling lives; and

WHEREAS, the collaborative efforts of Tualatin schools, parents, law enforcement, community coalitions, National Guard, and local organizations work together to provide vital education, resources, and positive opportunities for our youth to live healthy lives and make healthy life choices

NOW THEREFORE BE IT RESOLVED, that the City of Tualatin does hereby proclaim October 23-31, 2025 as Red Ribbon Week and encourages its citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug-free community.

INTRODUCED AND ADOPTED this 27th day of October, 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:
BY _____





Proclamation

City Recorder





Proclamation

WHEREAS, the history and culture of our nation has been significantly influenced by Native Americans and indigenous peoples; and

WHEREAS, the City of Tualatin recognizes the unique and enduring relationship that exists between indigenous peoples and their traditional territories, and the area currently known as Washington County, Oregon rests on land that was first inhabited by the Atfalati Kalapuyans, also called the Tualatin people, who flourished here for thousands of years; and

WHEREAS, Oregon is home to nine federally-recognized tribal nations, including the Burns Paiute, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians; Confederated Tribes of Grand Ronde; Confederated Tribes of Siletz, Confederated Tribes of Umatilla Reservation, Confederated Tribes of Warm Springs, Cow Creek Band of Umpqua Indians, Coquille Indian Tribe, and the Klamath Tribes; and

WHEREAS, equity is a priority for the City of Tualatin and ensuring that Native Americans are front and center in our efforts to improve opportunities and outcomes for Native American families, communities, and businesses; and

WHEREAS, meaningful engagement centers the lived experiences of Native Americans in Oregon so as to provide equitable access to the City's services, and development, infrastructure, and program investments; and

WHEREAS, the City of Tualatin is committed to engaging with tribal nations and tribal communities to build relationships and address issues affecting their well-being; and

WHEREAS, during the month of November, we honor the Native peoples in this, their ancestral homes, and recognize their continued contribution to all areas of community and family life, arts, and culture.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, Oregon that November 2025 is Native American Heritage Month.

INTRODUCED AND ADOPTED this 27th day of October, 2025.

BY _____
Mayor

ATTEST:

BY _____
City Recorder





CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: October 13, 2025

SUBJECT:

Consideration of Approval of the Work Session and Regular Meeting Minutes of September 22, 2025

RECOMMENDATION:

Staff respectfully recommends the Council adopt the attached minutes.

ATTACHMENTS:

- City Council Work Session Meeting Minutes of September 22, 2025
- City Council Regular Meeting Minutes of September 22, 2025



TUALATIN CITY COUNCIL

OFFICIAL WORK SESSION MEETING MINUTES

FOR SEPTEMBER 22, 2025

PRESENT: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Christen Sacco, Councilor Octavio Gonzalez

Mayor Bubenik called the meeting to order at 5:03 p.m.

1. *Conversation with County Commissioner Snider.*

Washington County Commissioner Jason Snider thanked the Council for the invitation and expressed his appreciation for the opportunity to attend. He provided introductory remarks and opened the floor to questions.

Council President Pratt asked about the proposed library funding allocation. Commissioner Snider explained that the County Commission has a session scheduled to continue discussions on this issue. He stated other cities had raised similar concerns about contributions to library funding but emphasized that the County currently lacks a mechanism to impose taxes in a way that would alter allocations. Commissioner Snider explained that urban unincorporated areas benefit from services without directly paying into city operations, and while this is a long-standing issue, the only long-term solution is eventual annexation into cities.

Council President Pratt asked why some jurisdictions received larger allocation increases than others. Commissioner Snider acknowledged that it is a contentious issue and explained that the Commission is attempting to distribute resources equitably in areas with higher demand. He noted that service area usage data is considered as part of the process.

Council President Pratt also asked if the proposed 5% increase would apply for only one year or if it would grow over time. Commissioner Snider responded that Commissioners are hesitant to make long-term commitments given economic uncertainty, but agreed that reevaluation will be needed regularly.

Council President Pratt asked about the County's top priorities for the coming year. Commissioner Snider stated that funding certainty has decreased compared to nine months ago. He said the County's primary concern is sustaining existing services, especially in the face of state-mandated requirements and decreasing revenues.

Councilor Sacco asked whether strategies are being considered to address the County's financial challenges. Commissioner Snider responded that the County is reviewing potential new revenue sources and noted that some revenue streams, such as franchise fees for use of county rights-of-way, have not been fully pursued in the past.

Councilor Brooks asked how many nonprofit libraries operate in the county. Commissioner Snider responded that there are three.

Councilor Brooks also asked if there is a strategic plan for communicating with constituents about funding challenges, expressing concern about moving forward with programming without reliable, long-term resources. Commissioner Snider stated that planning and evaluation are ongoing.

Councilor Brooks shared her broader concerns about equity, citing her experience with the State Transportation Improvement Program (STIP) where Tualatin was not included. She emphasized the importance of equitable treatment for all communities. Commissioner Snider acknowledged her concern and stated that inequities affect his entire district as well. He emphasized that sustaining services in the large urban unincorporated area is not sustainable without structural reform.

Councilor Brooks asked how the city could support the County's efforts. Commissioner Snider encouraged the city to monitor work related to urban services and stated the importance of collaboration.

Councilor Brooks raised concerns about centralization of library services and the potential for disenfranchisement. Commissioner Snider assured her that the County is committed to maintaining local service quality and would not support changes that failed to meet at least 80% of community needs.

Councilor Brooks asked about potential efficiency improvements, particularly regarding federal requirements and administrative burdens. Commissioner Snider said those operational details are being reviewed and agreed that streamlining processes could help reduce bureaucratic inefficiencies.

Council President Pratt thanked Commissioner Snider for his candid responses and requested more frequent updates.

Mayor Bubenik asked about the County's role in providing services to unincorporated areas given current financial pressures. He expressed concern about reliance on levy funding and suggested that counties should be equally accountable for supporting these areas. Commissioner Snider responded that property tax reform will be necessary and noted that levies are designed to support both cities and unincorporated areas. He emphasized that the library system is highly valued and that the Commission is working to find an equitable solution, though frustrations remain.

Mayor Bubenik thanked Commissioner Snider for his attendance and reiterated the City's interest in participating in ongoing discussions. Commissioner Snider expressed appreciation for the dialogue and reaffirmed the County's commitment to listening to cities.

2. Sidewalk Maintenance Program Backlog Review.

Public Works Management Analysts Lindsay Marshall and Public Works Intern Jackson Porterfield presented an update on the city's sidewalk maintenance program backlog. Analyst Marshall recapped the citywide sidewalk assessment conducted in 2024, during which a contractor inspected every sidewalk and marked trip hazards. She explained that the purpose of the assessment was to build a complete dataset of repair needed.

Intern Porterfield stated that most sidewalk damage has resulted from tree roots and other causes. He outlined the proposed approach for addressing the backlog, including three key

measures: continuing to utilize Parks staff for some repairs; aligning with Council's direction by removing grinding from the program and incorporating low-emission concrete to meet Climate Action Plan goals; and implementing a one-time, two-year "catch-up" program to bring sidewalks up to standard. Intern Porterfield described estimated costs, noting that bids were recent and reliable, and explained that funding would come from \$300,000 in annual program funds combined with other identified sources. He stated the first round of repairs, if approved, would occur in summer and fall 2026 with completion of the remaining work in 2027.

Councilor Brooks asked whether the assessment considered only trees or all sidewalk damage. Analyst Marshall clarified that the assessment documented sidewalk defects.

Councilor Brooks asked about tree species most likely to damage sidewalks. Intern Porterfield identified the Armstrong maple as a frequent culprit.

Councilor Brooks also asked whether innovative repair methods such as foam injection could be considered. Analyst Marshall responded that staff had piloted foam repairs with a homeowner and found them cost-effective.

Councilor Sacco asked whether the city would fund the entire program. Analyst Marshall stated the costs would be fully covered by the city.

Councilor Sacco also asked how future problems would be addressed. Analyst Marshall said this program focuses on the current backlog, and broader policy conversations would be needed later.

Councilor Gonzalez thanked staff for their work and asked for clarification on low-emission concrete. Public Works Director Rachel Sykes stated that she could bring back additional information later.

Councilor Gonzalez expressed concern about the 24% contingency estimate and warned against excessive change orders. He suggested the project might be completed faster. Analyst Marshall explained that while the work itself would take about 18 months, spanning two fiscal years would allow for staged funding and appropriate timing of construction seasons.

Councilor Gonzalez asked how the city would ensure it stays on pace. Analyst Marshall explained that progress would be measured against the 2024 assessment and that staff were considering cost-sharing with homeowners in future programs to expand capacity.

Council President Pratt asked about available funds for the project. Assistant City Manager Don Hudson stated that \$2.5 million was budgeted, with top priorities including improvements at Parque Las Casitas and the adjacent trail. He stated final costs are still being refined but are expected to be under \$1 million.

Council President Pratt spoke to the importance of catching up on repairs and noted community frustration when required street trees cause sidewalk damage. She asked if the city has data on which trees will cause problems next. Analyst Marshall replied that projections are difficult, but staff know there are approximately 11,000 street trees with 1,100 not yet inventoried.

Councilor Brooks asked whether the program would help preserve the city's tree canopy. Analyst Marshall stated that the program will involve replanting, and staff will coordinate with Parks and arborists to ensure canopy replacement.

Mayor Bubenik asked about property owners responsible for their own repairs and whether the city provides preferred vendors. Analyst Marshall explained that staff will bring forward new program criteria, including guidance on private repairs, and will consider publishing a list of preferred vendors to meet anticipated demand.

3. CFEC Walkable Design Standards.

Community Development Director Aquilla Hurd-Ravich and Senior Planner Erin Engman presented an update on the Climate-Friendly and Equitable Communities (CFEC) rulemaking process related to walkable communities.

Planner Engman explained that CFEC rules are intended to reduce greenhouse gas emissions and create more livable neighborhoods by promoting compact, mixed-use, pedestrian friendly and walkable developments. She noted that the rules apply statewide and require cities to evaluate how their comprehensive plans and development codes support walkable areas. She outlined key requirements, including reducing reliance on automobiles, ensuring access to essential services within walking distance, and addressing equity in transportation and land use planning.

Director Hurd-Ravich stated the city must demonstrate compliance through amendments to its Comprehensive Plan and Development Code. She stated staff have been reviewing potential impacts on zoning, housing, and transportation policies. She added that coordination with Metro, Washington County, and neighboring cities will be important to align growth strategies and ensure consistency across jurisdictions.

Planner Engman discussed the timeline for implementation, noting that certain plan and code amendments are due to the state by 2026. She highlighted upcoming public engagement opportunities, including community workshops, to gather input on how Tualatin can meet CFEC requirements while reflecting local values and needs.

Councilor Gonzales asked what considerations for the elderly, people with babies in strollers, etc., have been taken in MUC zones. Planner Engman stated she will look into this.

Councilor Gonzales asked if case studies on other cities have been conducted and referenced. Director Hurd-Ravich stated the city is the case study as being one of the first cities to adopt the TSP under the new CFEC.

Councilor Brooks asked how many drive-thrus are in the city. Planner Engman stated that she was surprised to see there are more than she originally thought.

Councilor Brooks stated she prefers the first option listed in the presentation.

Mayor Bubenik stated that he agrees with Councilor Brooks in choosing the first option and possibly the second as he keeps in mind that more housing is needed and would be a better use of the land available in the city.

Councilor Reyes asked for clarity on what areas the code will be applied to. She stated the first option is too restrictive and would like to have variety for seniors and those that cannot get out of their vehicles.

Councilor Sacco stated she leans toward the second option for reasons including equity and future possibilities.

Councilor Gonzales stated he is leaning toward the third or fourth options.

Council President Pratt stated she is leaning toward the first option.

Councilor Brooks stated she prefers to vote with a full council present.

Planner Engmann stated next steps including the deadline for adoption being December 2025.

City Manager Lombos stated there will not be a full council present until the first meeting of November.

Director Hurd-Ravich stated that while CFEC sets state-level expectations, cities have flexibility in determining how best to meet them. She stated they will move forward with the first option as that had the most support from the Council.

4. Council Meeting Agenda Review, Communications & Roundtable.

Councilor Gonzales stated he participated in the city booth at the Grange Farmers Market last Saturday.

Councilor Sacco stated she attended the IDEA Advisory Committee meeting.

Councilor Brooks stated she attended the PAB meeting, the Arts Committee meeting, and participated in the mayor's call.

Council President Pratt stated she attended the C4 Metro Sub-committee meeting, the AARP Conference on Aging, and the Clean Water Services Essentials Training.

Mayor Bubenik stated he attended the Washinton County Mayors informal Zoom meeting, CERT's Emergency Preparedness Fair, the Grange Farmers Market, Zero Touch Ribbon Cutting, AARP Age Friendly Summit, the METRO Mixer, SE Washington County Mayors Lunch, and met with the Tigard-Tualatin School District Superintendent.

City Manager Lombos made several announcements. She stated the next Grange Farmers Market will be on September 28th and invited all to attend. She stated the Clean Up Event at Parque Las Casitas was a great success and shared positive feedback from residents. Manager Lombos stated the City's Public Works Department is in the process of procuring seismic valves for the water tanks. Additionally, she stated the Neighborhood Transportation Safety Program open call for projects closes on September 30th. Lastly, she announced a \$100,000 grant through Oregon State Parks was awarded to the City.

Adjournment

Mayor Bubenik adjourned the meeting at 7:00 p.m.

Sherilyn Lombos, City Manager

_____/ Erika Pagel, Recording Secretary

_____/ Frank Bubenik, Mayor



TUALATIN CITY COUNCIL

OFFICIAL MEETING MINUTES
FOR SEPTEMBER 22, 2025

PRESENT: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Christen Sacco, Councilor Octavio Gonzalez

ABSENT: Councilor Cyndy Hillier

Call to Order

Mayor Bubenik called the meeting to order at 7:06 p.m.

Pledge of Allegiance

Announcements

1. Proclamation Declaring October as Domestic Violence Awareness Month

Family Justice Center Executive Director Rachel Schutz presented information on the Family Peace Center and shared a preview of the new facility.

Councilor Sacco read the proclamation declaring October as Domestic Violence Awareness Month in the City of Tualatin.

Public Comment

Western Precision Products Owner Jerry Mullins expressed concern regarding individuals living in vehicles near his business and the lack of enforcement tools available. He praised the Police Department's responsiveness but stated the situation remains unresolved and requested Council guidance. Mayor Bubenik thanked him and stated staff will follow up with the Police Chief and City Manager to explore solutions.

Consent Agenda

Motion to adopt the consent agenda made by Council President Pratt, Seconded by Councilor Sacco. Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of September 8, 2025
2. Consideration of **Resolution No. 5912-25** Authorizing the City Manager to Execute a Grant Agreement for a State Homeland Security Program Grant and Appropriate Special Purpose Revenues in the City's General Fund During the FY 2025-2026 Budget
3. Consideration of **Resolution No. 5914-25** Authorizing a Contract Renewal with Axon for Body Worn Cameras, Tasers, Digital Evidence Storage, Maintenance, and Support

4. Consideration of **Resolution No. 5916-25** Awarding Fiscal Year 2025-26 Outside Agency Grant Funds to Provide Services to the Tualatin Community

Public Hearings - Quasi-Judicial

1. Consideration of **Resolution No. 5915-25** a Request for Review of INT25-0001, Honey Bucket Interpretation Decision, Located at 18805 SW 108th Avenue (Tax Lots: 2S122AD 600, 700, and 800)

Community Development Director Aquilla Hurd-Ravich and Associate Planner Madeleine Nelson presented an interpretation regarding Honey Bucket's property at 18805 SW 108th Avenue. Director Hurd-Ravich explained that Honey Bucket filed an appeal of the staff interpretation decision to determine whether its operations, which include storage and servicing of portable sanitation units, were permitted under the current zoning designation. Associate Planner Nelson determined that the use did not align with the zoning code's intent, prompting the applicant to request Council review of the interpretation.

Associate Planner Nelson provided background on the property's zoning, noting it is in the Light Industrial zone. She explained that the decision centered on the primary use aligned with solid waste treatment and recycling which is not permitted in this zone. She reviewed the interpretation process, which allows applicants to appeal to the Council when they disagree with staff determination.

Land Use Attorney representing Northwest Cascade Inc. (Honey Bucket) Merissa Moeller and Honey Bucket COO Jason Perry provided background on Honey Bucket and the services they offer. Attorney Moeller asked Council to make the decision to allow them to continue operating their business as they always have. She stated that they believe Honey Bucket's business is best described as a wholesale sales business, which is allowed in the current zone. Attorney Moeller gave an overview of what solid waste treatment and recycling is and stated that is not what Honey Bucket does.

COUNCIL QUESTIONS

Councilor Gonzalez asked for clarification on the emptying, transporting, and cleaning process Honey Bucket uses to clean the portable toilets. He also asked if there is other work done on site. Mr. Perry said the portable toilets are pumped out at the off-site location into a truck, transported empty, water and an additive are added to it, externally hosed off, and then put on a ready line to be rented out again. He also stated that sometimes repairs are needed due to vandalism. Attorney Moeller stated the waste component happening onsite is a very, very small portion of the business and that Honey Bucket is in the business of renting the portable toilets out and not conducting waste treatment.

Councilor Sacco asked what the leftover waste is considered once it is onsite. Mr. Perry clarified that when they pump it, it is pumped dry so there is no liquid or any sort of solid left inside. He stated Oregon DEQ does not allow the transfer of solid waste. Mr. Perry reiterated the process of cleaning the portable toilets.

Councilor Sacco clarified that she is trying to understand if the material from the inside of the portable toilet is put somewhere onsite. Mr. Perry stated the trucks that service the portable toilets are pumped out at Clean Water Services.

Councilor Sacco sought clarification on the example referenced in the code and asked if it is allowed anywhere in the state. Attorney Moeller stated she cannot speak to the state law but that the code is referencing that being next to a residential area would not allow for that.

Councilor Reyes thanked them for the presentation and stated it helped her understand their business. She stated the pumping portion is what is confusing people and making people think that is happening onsite.

Councilor Gonzales asked if they offer tours of their facility to high school groups. Mr. Perry stated his high school aged children have personal tours that involve them helping with the work.

Council President Pratt asked how long it has been state law to pump the portable toilets offsite. Mr. Perry stated he started working there in 1998 and it has been in place since then and is unsure before that date.

Council President Pratt asked for more information on the illicit discharge complaint from 2024. Mr. Perry said that it was related to Clean Water Services thinking their wash rack water was being discharged and not recycled. Clean Water Services visited the site and witnessed that it is a recycling and the matter was resolved.

Council President Pratt stated the specifications in the code and asked how they fall within that when they rent to businesses not meeting the specifications. Mr. Perry stated their largest customer base is home builders. Attorney Moeller stated there is a potential discrepancy between the code and the use category as only one uses the word only.

Councilor Brooks asked for more clarity on the cleaning rack and where the water goes after it has been used to clean the portable toilets. Mr. Perry stated it is used, stays in the closed system, and then goes to Clean Water Services.

Councilor Brooks stated her concern is if there were to be a spill that would go into the ground, runoff, river, wetlands. She stated that is the reason buffer zones exist and asked what the cleanup process would be should that occur. Mr. Perry stated spills are reported to DEQ followed up with a Spill Response.

Mayor Bubenik asked when they first located to that site. Mr. Perry stated approximately two years ago.

Mayor Bubenik asked if they were aware of the restrictions in that zone when they located there. Mr. Perry stated that they thought they were legit and received an occupancy permit from the city.

Mayor Bubenik asked if their scope of services has stayed the same. Mr. Perry said yes.

Mayor Bubenik asked how often the truck goes to Clean Water Services to be emptied. Mr. Perry stated it goes to Clean Water Services each night.

Mayor Bubenik asked if it is the same truck as the used for the dirty wash rack water and how often that is emptied at Clean Water Services. Mr. Perry stated it is.

Mayor Bubenik asked how often the trucks with the contents from the closed loop system are emptied at Clean Water Services. Mr. Perry stated that it depends on the season and could vary up to every 3-4 months.

Mayor Bubenik sought confirmation that the closed loop system contains only water used to clean the exterior and the upper portions of the interior. Mr. Perry replied that there are instances where the water will contain residual waste.

Mayor Bubenik asked Mr. Perry to confirm there is no pumping of solid waste onsite. Mr. Perry stated that if the portable toilet comes back to the site with residual waste, it will be cleaned onsite.

Council President Pratt asked if he also filed a business permit. Mr. Perry stated he had.

PUBLIC COMMENT

Annette Neeley voiced her support for Honey Bucket and asked Council to allow them to continue to do business in that location.

COUNCIL QUESTIONS

Director Hurd-Ravich stated that when they looked at solid waste treatment and recycling, they felt it was clear that piece of the business is not wholesale sales. She stated that their interpretation regarding Honey Bucket's business as wholesale sales would be applied to all light manufacturing zones.

Council President Pratt asked for an explanation of the light manufacturing zone acting as a buffer to the neighborhood. Director Hurd-Ravich stated there are more indoor uses which have less impact on neighborhoods such as noise, smell, fumes, etc. She offered examples of businesses on Avery Street.

Council President Pratt asked how their business scope was missed when they applied for an occupancy permit and business license. Director Hurd-Ravich stated the business license process and stated they have not always had the authority to deny business licenses as they are viewed as a tax versus a license to operate.

City Attorney Kevin McConnell stated that was an argument forwarded and advanced by the occupant. He stated he provided some information on what the business license code states. He said practices have changed since then and applications are routed to relevant departments to avoid a situation like this.

Council President Pratt asked Attorney McConnell which definition of the zoning takes precedent. Attorney McConnell shared the different definitions of accessory uses located in the code with the scope of work Honey Bucket does. He cited the record for the process used by Honey Bucket and explained how the city reached their conclusion. Attorney McConnell argued that the nature of their operation looks like a solid waste and recycling operation.

Councilor Brooks asked if there are other DEQ regulations in other types of zoning. Director Hurd-Ravich stated she can't give a definite answer to that.

Councilor Brooks stated her concern is that the light industrial zones are meant to mitigate risk and this situation with Honey Bucket has several components that can increase it.

Director Hurd-Ravich read the purpose statement and quoted the light manufacturing zone "is supposed to serve as a buffer to heavy manufacturing from commercial and residential areas."

Councilor Gonzales asked if staff learned anything new from the presentations today. Director Hurd-Ravich responded that she learned more about the closed loop process and the full cleaning process.

Councilor Gonzales stated his support for Honey Bucket and stated he does not think the city should have gotten to this point.

Mayor Bubenik asked for further clarity on the waste transfer process and asked for confirmation if there is a storage tank on site. Mr. Perry stated there is a storage tank on site and referred to it as a frack tank.

Councilor Brooks stated that their decision is not based on any personal feelings towards the company but rather, one that will affect other businesses city-wide moving forward.

Attorney Moeller stated they hope Council votes in their favor and should they not, she asked for guidance on what Honey Bucket's options are to continue operating in the city as they find the code to be ambiguous.

Council President Pratt stated the Council needs to interpret the code and what their predecessors meant when they originally interpreted the code. She stated she thinks it is clear their scope of business is not meant to be in the code due to a better understanding after the testimony shared leading her to think that Honey Bucket's business model fits better as a solid waste and treatment business.

Councilor Brooks stated she agrees with Council President Pratt's conclusion.

Councilor Sacco thanked everyone for their time and agreed with her fellow Councilors. She stated she has good thoughts toward Honey Bucket but after learning more, she is compelled to side with her fellow Councilor's interpretation of the code.

Councilor Reyes stated she also agrees with her fellow Councilors and the staff interpretation. She suggested more clarity in the code for future businesses.

Mayor Bubenik stated the storage tank onsite is what led him to agree with city staff and their interpretation.

Attorney McConnell asked for a five-minute break. Mayor Bubenik called for a ten minute break.

Attorney McConnell stated Attorney Moeller has requested to re-open the record to provide Council with additional details. He supports this if it is what the Council would like to do. He further stated Council will have an opportunity after the vote to determine next steps regarding the future removal of the storage tank.

Motioned for the record to be re-opened on behalf of the applicant made by Councilor Sacco and seconded by Councilor Reyes.

Voting Yea: Councilor Sacco, Councilor Reyes, Councilor Gonzales and Mayor Bubenik.

Voting Nay: Councilor Brooks, Council President Pratt.

MOTION PASSED

Attorney Moeller thanked Council for the additional time and asked if it would change their vote if they committed to removing the storage tank and relocating it to another site. She further stated that by changing their vote, it would save legal time and staff time when they come before Council in the future.

Councilor Sacco asked what the process would look like to have the storage tank removed. Mr. Perry stated the process would essentially be the same with the only difference being the small trucks would empty at Clean Water Services every night. He also stated there would be no sewage in the trucks onsite overnight any longer.

Mayor Bubenik closed the hearing.

Motion affirming the interpretation decision INT-25-0001 approving the July 11, 2025, staff decision and adopting Resolution 5915-25 a request for review of INT25-0001, Honey Bucket Interpretation Decision, located at 18805 SW 108th Avenue (Tax Lots: 2S122AD 600, 700, and 800) made by Council President Pratt and seconded by Councilor Sacco.

Voting Yea: Councilor Sacco, Councilor Reyes, Councilor Gonzales, Councilor Brooks, Council President Pratt, Mayor Bubenik

MOTION PASSED

Mayor asked for discussion on the option if Honey Bucket removes the storage tank from the site.

Council President Pratt stated it would not change her decision.

Councilor Brooks stated she is not prepared to answer this question tonight and would want to hear from staff first.

Councilor Sacco stated the storage tank was a big factor in her vote and should it be removed, they could possibly reach a different outcome.

Councilor Reyes stated the storage tank was a big factor in her voting no and should they comply with the conditions, she would say yes.

Councilor Gonzales stated he is open for the tank to be moved.

Mayor Bubenik agreed and stated his preference would be to go down the process of rezoning that particular parcel, but he is willing to listen and change his vote if the storage tank is taken offsite.

General Business

1. Washington County Cooperative Library Services (WCCLS) Funding & Governance Update

Library Director Jerianne Thompson presented an update on the Washington County Cooperative Library Services (WCCLS) funding and governance discussions. She stated that the county has been working with Marina and Company Consultants since Spring 2024 to evaluate service, funding, and governance in Washington County. Director Thompson stated the project has two goals: assessment of the current state of WCCLS and assessing the funding needs while defining base service levels for libraries.

Director Thompson explained that the current funding formula distributes resources across the county's sixteen libraries, with Tualatin receiving support through the local option levy and county transfers. She gave an overview of the proposed funding methodology with a chart showing how allocations could change under proposed redistribution, noting that the methodology is still under review.

Director Thompson stated WCCLS intends to move toward centralized collection management, with implementation projected for July 2027. She stated a consultant will be hired this fall to help plan the transition. Director Thompson noted that while centralized collection management may create efficiencies, it raises concerns for Tualatin because collection selection is the second most important factor for residents when choosing which library to visit. She emphasized that losing local control over collections would impact both patrons and staff.

Director Thompson stated that Tualatin is advocating for more partnership and collaboration to ensure local needs are addressed. She also reviewed levy funding, noting that the current local option levy is \$0.22 per \$1,000 of assessed value and the renewal proposal would increase the rate to \$0.37.

Council President Pratt asked for clarification on the scale of adjustment. Director Thompson stated that is for the projected increases for Aloha and Forest Grove.

Councilor Reyes asked which libraries are non-profit. Director Thompson stated Aloha, Cedar Mill, Bethany, Garden Home and West Slope.

Mayor Bubenik asked why Forest Grove will be receiving such a large increase in funding. Director Thompson stated that it is due to the proposed funding methodology.

Councilor Brooks asked for clarification on the various populations of each city in WCCLS. Director Thompson reviewed the information on the slide that listed each city's population.

Director Thompson explained the proposed annual escalation for the funding methodology.

Council President Pratt asked what is meant by stable general fund. Director Thompson stated the hope is that the general fund would stabilize. City Manager Lombos added that the five-year model shows the general fund transfer remaining stable yet the County is unwilling to commit to that in writing.

Councilor Brooks stated she is concerned about growing non-profit libraries with no long-term funding plans. Director Thompson stated the city has a lot to gain through participation in WCCLS.

Councilor Brooks asked if a flat fee might be considered to help alleviate the costs for those paying into WCCLS. Director Thompson highlighted the goals and milestones of improving service consistency, equity, and a fiscally sustainable future.

Council President Pratt asked if the levy revenues would stay the same. Director Thompson stated they should increase 3% annually. She noted the County has consistently stated there will continue to be general fund support for libraries.

Director Thompson reviewed the risks and concerns related to unpredictable financial impacts due to federal funding cuts and state cuts. She stated that because of these concerns, there are some uncertainties about the cost of collection centralization and reduction in services.

Council President Pratt stated she is concerned that cuts might happen even after the levy is passed.

Councilor Reyes stated there should be more priority for those within the WCCLS system and paying into it. Director Thompson stated the unincorporated areas in the County fundraise and try as much as they can to look for different funding sources to supplement.

Mayor Bubenik stated he feels things have improved but are not yet where he would like them to be. He does not feel it is fair to include the non-profit libraries who do not contribute. He is concerned about the affect it will have on the cities that are contributing.

2. Consideration of **Resolution No. 5917-25** Adopting the City of Tualatin's 2026 State Legislative Agenda and **Resolution No. 5918-25** Adopting the City of Tualatin's 2026 Federal Legislative Agenda

Deputy City Manager Megan George presented the proposed 2026 State and Federal Legislative Agendas for Council consideration. Manager George reviewed the 2026 state legislative agenda, noting it was developed based on Council's policy discussions and priorities identified in prior work sessions. She stated key policy themes include transportation funding, housing and eviction prevention, social services, resiliency and emergency preparedness, environmental sustainability, downtown revitalization, local control and unfunded mandates, and support for capital projects. Manager George stated that the city will continue to advocate for seismic valves at city reservoirs, a Veteran's Plaza shade structure, and electric vehicle charging infrastructure.

Council President Pratt stated that she hopes there is flexibility addressing the various causes of eviction.

Manager George reviewed the 2026 federal legislative agenda noting the Riverfront Park Project, increase of funding for the community Development Block Grant Program, continuous funding for both the Community Fueling Infrastructure and the Railroad Crossing Elimination Program. She also stated that the protection of local governments' ability to offer tax exempt municipal bonds saw great progress in the current session. Manager George stated some topics were added based on previous Council discussions. Those topics included opposing administration changes to FEMA and opposing cuts to programs that support Tualatin's most vulnerable communities. Manager George stated the funding for the 65th & Borland Road project from last year might not be at the level desired by Council, so the Riverfront Park Project was added. She stated more information will be forthcoming from Representative Salinas' office regarding these projects.

Councilor Brooks expressed support for including priorities around education, workforce innovation, and technology, particularly in areas of apprenticeship programs and artificial intelligence.

Motion to adopt Resolution No. 5917-25, adopting the City of Tualatin's 2026 State Legislative Agenda, and Resolution No. 5918-25, adopting the City of Tualatin's 2026 Federal Legislative Agenda made by Council President Pratt and seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

3. Consideration of **Resolution No. 5913-25** Authorizing the Pennies for Climate Action Program and **Ordinance No. 1452-25** Imposing a 0.3% Privilege Tax on Portland General Electric Company

City Manager Sherilyn Lombos presented the Pennies for Climate Action Program and a 0.3% privilege tax on Portland General Electric (PGE). She explained that the program is designed to provide a stable, dedicated funding stream for implementation of the City's Climate Action Plan.

Manager Lombos stated that the Pennies for Climate Action Program is an optional fee that residents can opt out of. She stated this will first appear on utility bills in January 2026. Manager Lombos stated the proposed Building Permit Surcharge is not feasible at this time and has been paused. She stated the 0.3% privilege tax would be collected from PGE and remitted to the City, with revenues placed into a dedicated fund.

Motion to adopt Resolution No. 5913-25 authorizing the Pennies for Climate Action Program made by Council President Pratt and Seconded by Councilor Brooks.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco

Voting Nay: Councilor Gonzalez

MOTION PASSED

Motion for first reading by title only of Ordinance No. 1452-25 made by Councilor Brooks, Seconded by Councilor Sacco.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

Motion for second reading by title only of Ordinance No. 1452-25 made by Councilor Brooks, Seconded by Councilor Sacco.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

Motion to approve Ordinance No. 1452-25 imposing a 0.3% Privilege Tax on Portland General Electric Company made by Councilor Brooks, Seconded by Councilor Sacco.

Voting Yea: Mayor Bubenik, Council President Pratt, Councilor Brooks, Councilor Reyes, Councilor Sacco

Voting Nay: Councilor Gonzalez

MOTION FAILED FOR LACK OF UNANIMITY

Council Communications

Councilor Brooks wished everyone a Happy Fall Equinox and invited all to attend the upcoming Tualatin Riverkeepers Annual Gala.

Adjournment

Mayor Bubenik adjourned the meeting at 10:45 p.m.

Sherilyn Lombos, City Manager

_____/ Erika Pagel, Recording Secretary

_____/ Frank Bubenik, Mayor



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 10/13/2025

SUBJECT:

Consideration of Approval of a New Liquor License Application for Bull Mountain Management LLC dba Apex Golf Club

RECOMMENDATION:

Staff respectfully recommends the Council approve endorsement of the liquor license application for Bull Mountain Management LLC dba Apex Golf Club.

EXECUTIVE SUMMARY:

Bull Mountain Management LLC dba Apex Golf Club has submitted a new application under the liquor license category of full on-premises - commercial. This would permit them to sell and serve distilled spirits, malt beverages, wine, and cider for consumption at their location. The business is located at 18039 SW Lower Boones Ferry Road. The application is in accordance with provisions of Ordinance No. 680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

ATTACHMENTS:

- Application
- Vicinity Map
- OLCC License Types



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Finance
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 09/02/2025

IMPORTANT: *This is a three-page form. You are required to complete all sections of the form.*
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- ☒ Original (New) Application - \$100.00 Application Fee.
☐ Change in Previous Application - \$75.00 Application Fee.
☐ Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
☐ Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Bull Mountain Management LLC dba Apex Golf Club

Business address 18039 SW Lower Boones Ferry Rd City Tigard State OR Zip Code 97224

Mailing address 15090 SW Coolwater Ln City Tigard State OR Zip Code 97224

Telephone # (847) 702-4460 Fax # _____

Email joe@playapexgolf.com

Name(s) of business manager(s) First Joseph Middle A Last Ferrante

Type of business Golf simulator sports bar

Type of food served Full menu, pizzas and sandwiches and sides

Type of entertainment (dancing, live music, exotic dancers, etc.) 10 golf simulator bays

Days and hours of operation Monday through Sunday, approximately 11am to 10pm

Food service hours: Breakfast N/A Lunch 11am to 4pm Dinner 4pm to 10pm

Restaurant seating capacity 35 Outside or patio seating capacity 0

How late will you have outside seating? N/A How late will you sell alcohol? 10pm

How many full-time employees do you have? 3 Part-time employees? 2

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants Bull Mountain Management LLC

Type of liquor license (refer to OLCC form) FULL ON-PREMISES SALES, Commercial

Form of entity holding license (check one and answer all related applicable questions):

☐ **INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

☐ **PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.
Full name _____ Date of birth _____
Residence address _____
Full name _____ Date of birth _____
Residence address _____

☐ **CORPORATION:** If this box is checked, complete (a) through (c).
(a) Name and business address of registered agent.
Full name _____
Business address _____

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.
Full name _____ Date of birth _____
Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes _____ No _____. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.
Full name of president: _____ Date of birth: _____
Residence address: _____
Full name of treasurer: _____ Date of birth: _____
Residence address: _____
Full name of secretary: _____ Date of birth: _____
Residence address: _____

☒ **LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: Joseph Ferrante

Full name: Jason Law

☐ **OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

Signature of Applicant

09/02/2025

Date

For City Use Only

Sources Checked:

☒ DMV by AL

☒ LEDS by AL

☒ TuPD Records by AL

☒ Public Records by AL

☒ Number of alcohol-related incidents during past year for location.

☒ Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

☒ Granted

☐ Denied

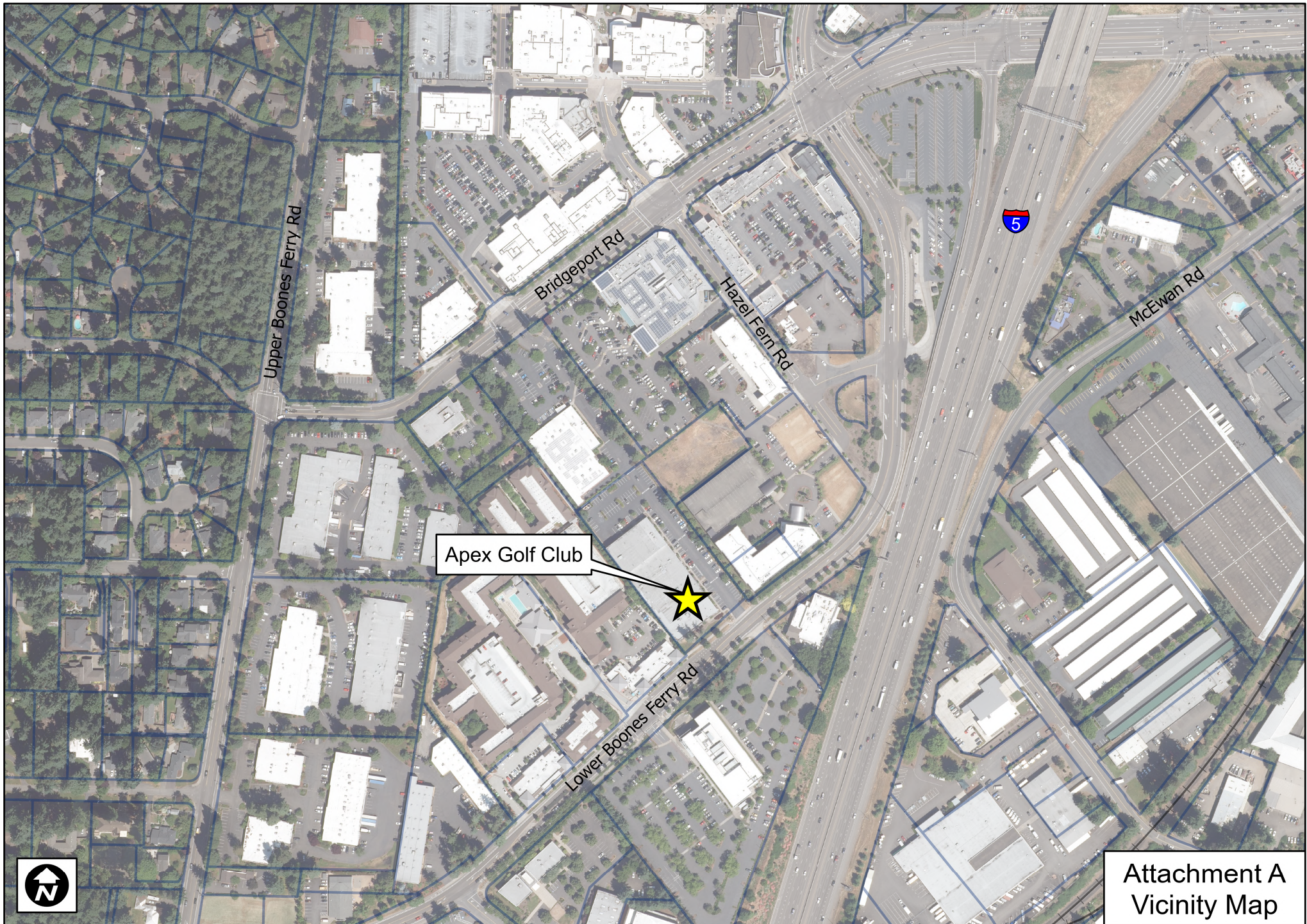
Cause of unfavorable recommendation: _____

Signature

Greg Pickering
Chief of Police
Tualatin Police Department

Date

9/22/25



ANNUAL & MULTI-YEAR LICENSE & PERMIT TYPES

License Type	OLCC License Fee	License Privileges and Requirements
Brewery ORS 471.221	\$1,000 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Brewery – Consumption license privileges • Brewery – Consumption Additional Location license privileges • Brewery – Non-Consumption license privileges • Brewery – Non-Consumption Additional Location license privileges • 'Consumption' designates a license that <i>allows</i> on-premises consumption (including tastings) of alcohol by patrons. Must meet the alcohol server education, service permit, and liquor liability insurance requirements. • 'Non-Consumption' designates a licensee that does <i>not</i> allow any on-premises consumption of alcohol by patrons. Eligible to be exempted from the alcohol server education, service permit, and liquor liability insurance requirements.
Brewery-Public House ORS 471.200	\$500 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Brewery-Public House license privileges • Brewery-Public House Additional Location license privileges
Certificate of Approval CERA 5-Year (for beer, wine, and cider) ORS 471.244	\$350 - valid for 5 years	• Allows a beer, wine, or cider manufacturer, wholesaler, or importer in a U.S. state other than Oregon to send malt beverages, wine, or cider to an Oregon wholesaler (the Oregon wholesaler may receive the alcohol only if the person sending the alcohol has a CERA and the Oregon wholesaler has the privilege to import the alcohol into Oregon). • Allows a wholesaler in Oregon to receive malt beverages, wine, and cider directly from a beer, wine or cider manufacturer, wholesaler, or importer outside of the U.S. (the Oregon wholesaler must get the CERA).
Certificate of Approval CERA 30-Day (for beer, wine, and cider) ORS 471.244	\$10 - valid for 30 days	• Allows a beer, wine, or cider manufacturer, wholesaler, or importer in a U.S. state other than Oregon to send malt beverages, wine, or cider to an Oregon wholesaler (the Oregon wholesaler may receive the alcohol only if the person sending the alcohol has a CERA and the Oregon wholesaler has the privilege to import the alcohol into Oregon) for a period of only 30 days.
Certificate of Approval – Distillery (for distilled spirits) ORS 471.251	No fee	• There is no need to apply for this certificate as it is automatically issued by the OLCC to businesses outside of Oregon who have applied to the OLCC and have been approved by the OLCC to sell distilled liquor by the bottle directly to the OLCC. • For more information: Listing distilled liquor in Oregon
Direct Shipper Permit ORS 471.282	\$100 annually	Direct Shipper Permit privileges
Direct to Retailer Permit ORS 471.274	\$200 annually	Direct to Retailer permit privileges

License Type	OLCC License Fee	Link to the License Privileges and Requirements
Distillery ORS 471.230	\$200 annually	Distillery license privileges Distillery Tasting Additional Location license privileges
For-Hire Carrier	No fee, does not expire or require renewal	- For-hire carriers are retained by an OLCC licensee, retail sales agent, or distillery retail outlet agent to deliver or ship alcoholic beverages directly from a licensee, retail sales agent, or distillery retail outlet agent to a resident of Oregon or to a licensee of the OLCC without involvement of a third-party delivery facilitator or delivery person. To be an approved for-hire carrier, a company must meet the federal definition of either a motor carrier, a freight forwarder, or an air carrier. Shipping and Delivering Alcohol in Oregon (website)
Full On-Premises Sales – Caterer ORS 471.175	\$800 annually	Full On-Premises Sales – Caterer license privileges
Full On-Premises Sales – Commercial ORS 471.175	\$800 annually	Full On-Premises Sales – Commercial license privileges
Full On-Premises Sales – For-Profit Private Club ORS 471.175	\$800 annually	Full On-Premises Sales – For-Profit Private Club license privileges
Full On-Premises Sales – Nonprofit Private Club ORS 471.175	\$400 annually	Full On-Premises Sales – Non-Profit Private Club license privileges
Full On-Premises Sales – Other Public Location ORS 471.175	\$800 annually	Full On-Premises Sales – Other Public Location license privileges
Full On-Premises Sales – Public Passenger Carrier ORS 471.175	\$800 annually	Full On-Premises Sales – Public Passenger Carrier license privileges
Grower Sales Privilege ORS 471.227	\$500 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	Grower Sales Privilege – Consumption license privileges Grower Sales Privilege – Consumption Additional Location license privileges Grower Sales Privilege – Non-Consumption license privileges Grower Sales Privilege – Non-Consumption Additional Location license privileges

License Type	OLCC License Fee	Link to the License Privileges and Requirements
In-State Certification of Approval – CERA 5 years	\$350 – valid for 5 years	Allows the holder of a Brewery, Warehouse, Wholesale Malt Beverage and Wine, and Winery licensee to import beer, wine, or cider produced OUTSIDE the US.
Limited On-Premises Sales ORS 471.178	\$400 annually	Limited On-Premises Sales license privileges
Off-Premises Sales ORS 471.186	\$200 annually	Off-Premises Sales license privileges
Third-Party Delivery Facilitator ORS 471.272	No annual fee	Third-Party Delivery Facilitator permit privileges
Warehouse ORS 471.242	\$200 annually	Warehouse license privileges
Wholesale Malt Beverage and Wine ORS 471.235	\$550 annually	Wholesale Malt Beverage and Wine license privileges
Winery ORS 471.223	\$500 annually NOTE: there is no OLCC license fee for the 2 nd – 5 th locations.	• Winery – Consumption license privileges • Winery – Consumption Additional Location license privileges • Winery – Non-Consumption license privileges • Winery – Non-Consumption Additional Location license privileges • WY designates a license that allows on-premises consumption (including tastings) of alcohol by patrons. Must meet the alcohol server education, service permit, and liquor liability insurance requirements • WYNC designates a licensee that does not allow any on-premises consumption of alcohol by patrons. Eligible to be exempted from the alcohol server education, service permit, and liquor liability insurance requirements



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: October 27, 2025

SUBJECT:

Consideration of Approval of a New Liquor License Application for Child Logistics Inc.

RECOMMENDATION:

Staff respectfully recommends the Council approve endorsement of the liquor license application for Child Logistics Inc.

EXECUTIVE SUMMARY:

Child Logistics Inc has submitted a new application under the liquor license category of Warehouse. This would permit them to store, import, bottle, produce, and blend wine, as well as store and import malt beverages and cider. The business is located at 10490 SW Manhasset Dr. The application is in accordance with provisions of Ordinance No. 680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

ATTACHMENTS:

- Application
- Vicinity Map



CITY OF TUALATIN
LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Finance
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 10-1-2025

IMPORTANT: This is a three-page form. You are required to complete all sections of the form.
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- ☒ Original (New) Application - \$100.00 Application Fee.
☐ Change in Previous Application - \$75.00 Application Fee.
☐ Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
☐ Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): Child Logistics Inc.
Business address 10490 Sw Manhasset Dr ^{Suite 140} City Tualatin State OR Zip Code 97062
Mailing address 7001 S. Union Ridge Pky ^{Suite 140} City Ridgefield State WA Zip Code 98642
Telephone # 3609078099 Fax # _____
Email jcarroll@childtruckline.com
Name(s) of business manager(s) First James Middle Jason Last Carroll

Type of business Warehouse
Type of food served none
Type of entertainment (dancing, live music, exotic dancers, etc.) none
Days and hours of operation 730am - 5pm Not open to the public
Food service hours: Breakfast n/a Lunch n/a Dinner n/a
Restaurant seating capacity n/a Outside or patio seating capacity n/a
How late will you have outside seating? no How late will you sell alcohol? _____

How many full-time employees do you have? 2 Part-time employees? 0

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants Michelle Carroll

Type of liquor license (refer to OLCC form) Warehouse

Form of entity holding license (check one and answer all related applicable questions):

☐ **INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.

Full name _____ Date of birth _____

Residence address _____

☐ **PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.

Full name _____ Date of birth _____

Residence address _____

Full name _____ Date of birth _____

Residence address _____

☒ **CORPORATION:** If this box is checked, complete (a) through (c).

(a) Name and business address of registered agent.

Full name Child Logistics Inc
Business address 7601 S. Union Ridge Parkway Suite 140 Ridgefield WA 98641

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.

Full name James Carroll _____

(c) Are there more than 35 shareholders of this corporation? Yes ☒ No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.

Full name of president: James Carroll _____

Full name of treasurer: Michelle Carroll _____

Full name of secretary: _____ Date of birth: _____

Residence address: _____

☐ **LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: _____ Date of birth: _____

Residence address: _____

Full name: _____ Date of birth: _____
Residence address: _____

☐ **OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

 _____
Signature of Applicant

10/1/25

Date

For City Use Only

Sources Checked:

☒ DMV by AS ☒ LEDS by AS ☒ TuPD Records by AS
☒ Public Records by AS

☒ Number of alcohol-related incidents during past year for location.

☒ Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

☒ Granted

☐ Denied

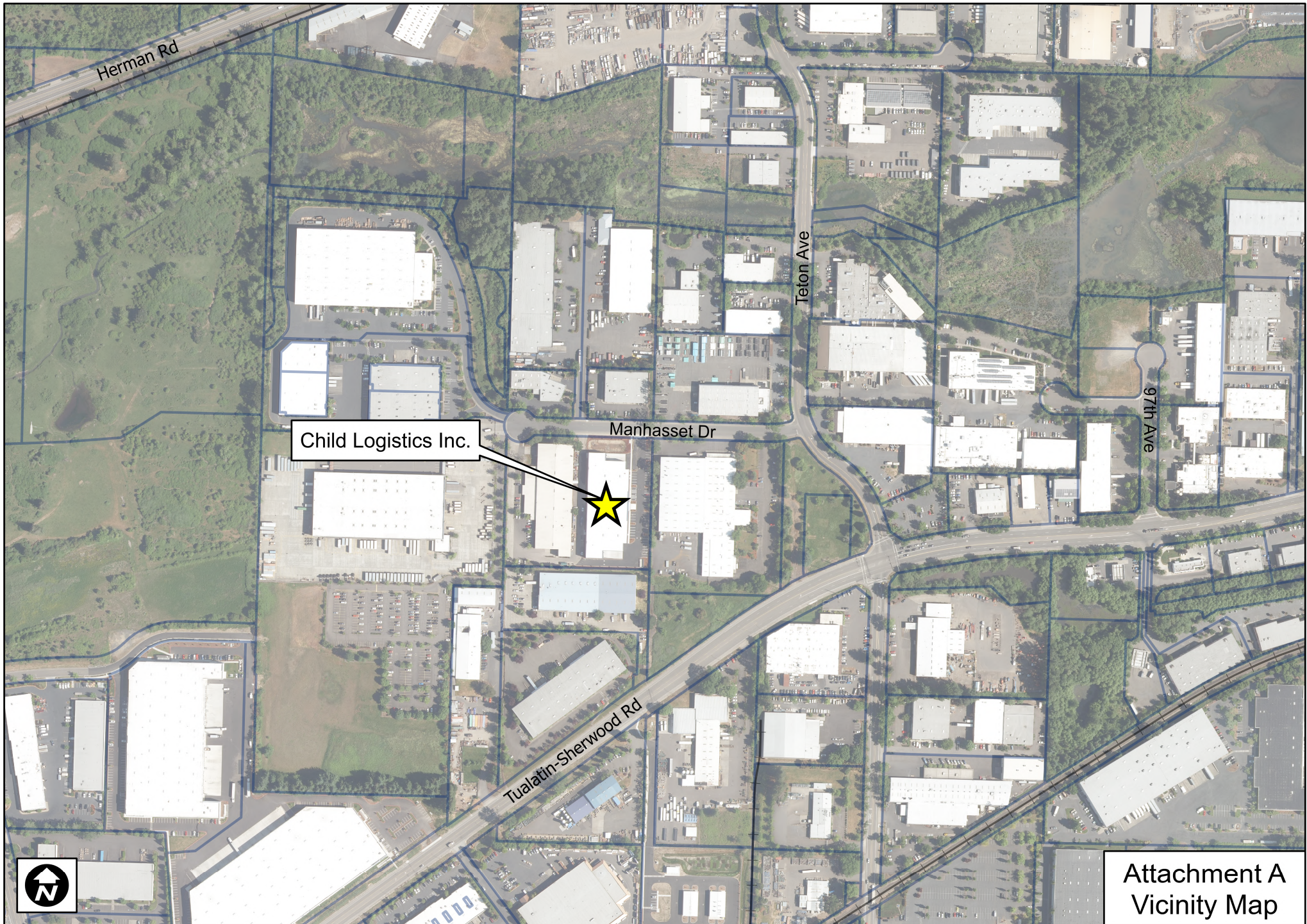
Cause of unfavorable recommendation: _____

 _____
Signature

Greg Pickering
Chief of Police
Tualatin Police Department

10/7/25

Date



ANNUAL & MULTI-YEAR LICENSE & PERMIT TYPES

License Type	OLCC License Fee	License Privileges and Requirements
Brewery ORS 471.221	\$1,000 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Brewery – Consumption license privileges • Brewery – Consumption Additional Location license privileges • Brewery – Non-Consumption license privileges • Brewery – Non-Consumption Additional Location license privileges • 'Consumption' designates a license that <i>allows</i> on-premises consumption (including tastings) of alcohol by patrons. Must meet the alcohol server education, service permit, and liquor liability insurance requirements. • 'Non-Consumption' designates a licensee that does <i>not</i> allow any on-premises consumption of alcohol by patrons. Eligible to be exempted from the alcohol server education, service permit, and liquor liability insurance requirements.
Brewery-Public House ORS 471.200	\$500 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Brewery-Public House license privileges • Brewery-Public House Additional Location license privileges
Certificate of Approval CERA 5-Year (for beer, wine, and cider) ORS 471.244	\$350 - valid for 5 years	• Allows a beer, wine, or cider manufacturer, wholesaler, or importer in a U.S. state other than Oregon to send malt beverages, wine, or cider to an Oregon wholesaler (the Oregon wholesaler may receive the alcohol only if the person sending the alcohol has a CERA and the Oregon wholesaler has the privilege to import the alcohol into Oregon). • Allows a wholesaler in Oregon to receive malt beverages, wine, and cider directly from a beer, wine or cider manufacturer, wholesaler, or importer outside of the U.S. (the Oregon wholesaler must get the CERA).
Certificate of Approval CERA 30-Day (for beer, wine, and cider) ORS 471.244	\$10 - valid for 30 days	• Allows a beer, wine, or cider manufacturer, wholesaler, or importer in a U.S. state other than Oregon to send malt beverages, wine, or cider to an Oregon wholesaler (the Oregon wholesaler may receive the alcohol only if the person sending the alcohol has a CERA and the Oregon wholesaler has the privilege to import the alcohol into Oregon) for a period of only 30 days.
Certificate of Approval – Distillery (for distilled spirits) ORS 471.251	No fee	• There is no need to apply for this certificate as it is automatically issued by the OLCC to businesses outside of Oregon who have applied to the OLCC and have been approved by the OLCC to sell distilled liquor by the bottle directly to the OLCC. • For more information: Listing distilled liquor in Oregon
Direct Shipper Permit ORS 471.282	\$100 annually	Direct Shipper Permit privileges
Direct to Retailer Permit ORS 471.274	\$200 annually	Direct to Retailer permit privileges

License Type	OLCC License Fee	Link to the License Privileges and Requirements
Distillery ORS 471.230	\$200 annually	Distillery license privileges Distillery Tasting Additional Location license privileges
For-Hire Carrier	No fee, does not expire or require renewal	- For-hire carriers are retained by an OLCC licensee, retail sales agent, or distillery retail outlet agent to deliver or ship alcoholic beverages directly from a licensee, retail sales agent, or distillery retail outlet agent to a resident of Oregon or to a licensee of the OLCC without involvement of a third-party delivery facilitator or delivery person. To be an approved for-hire carrier, a company must meet the federal definition of either a motor carrier, a freight forwarder, or an air carrier. Shipping and Delivering Alcohol in Oregon (website)
Full On-Premises Sales – Caterer ORS 471.175	\$800 annually	Full On-Premises Sales – Caterer license privileges
Full On-Premises Sales – Commercial ORS 471.175	\$800 annually	Full On-Premises Sales – Commercial license privileges
Full On-Premises Sales – For-Profit Private Club ORS 471.175	\$800 annually	Full On-Premises Sales – For-Profit Private Club license privileges
Full On-Premises Sales – Nonprofit Private Club ORS 471.175	\$400 annually	Full On-Premises Sales – Non-Profit Private Club license privileges
Full On-Premises Sales – Other Public Location ORS 471.175	\$800 annually	Full On-Premises Sales – Other Public Location license privileges
Full On-Premises Sales – Public Passenger Carrier ORS 471.175	\$800 annually	Full On-Premises Sales – Public Passenger Carrier license privileges
Grower Sales Privilege ORS 471.227	\$500 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	Grower Sales Privilege – Consumption license privileges Grower Sales Privilege – Consumption Additional Location license privileges Grower Sales Privilege – Non-Consumption license privileges Grower Sales Privilege – Non-Consumption Additional Location license privileges

License Type	OLCC License Fee	Link to the License Privileges and Requirements
In-State Certification of Approval – CERA 5 years	\$350 – valid for 5 years	Allows the holder of a Brewery, Warehouse, Wholesale Malt Beverage and Wine, and Winery licensee to import beer, wine, or cider produced OUTSIDE the US.
Limited On-Premises Sales ORS 471.178	\$400 annually	Limited On-Premises Sales license privileges
Off-Premises Sales ORS 471.186	\$200 annually	Off-Premises Sales license privileges
Third-Party Delivery Facilitator ORS 471.272	No annual fee	Third-Party Delivery Facilitator permit privileges
Warehouse ORS 471.242	\$200 annually	Warehouse license privileges
Wholesale Malt Beverage and Wine ORS 471.235	\$550 annually	Wholesale Malt Beverage and Wine license privileges
Winery ORS 471.223	\$500 annually NOTE: there is no OLCC license fee for the 2 nd – 5 th locations.	• Winery – Consumption license privileges • Winery – Consumption Additional Location license privileges • Winery – Non-Consumption license privileges • Winery – Non-Consumption Additional Location license privileges • WY designates a license that allows on-premises consumption (including tastings) of alcohol by patrons. Must meet the alcohol server education, service permit, and liquor liability insurance requirements • WYNC designates a licensee that does not allow any on-premises consumption of alcohol by patrons. Eligible to be exempted from the alcohol server education, service permit, and liquor liability insurance requirements



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Nicole Morris, Deputy City Recorder

DATE: 10/27/2025

SUBJECT:
Consideration of Approval of a New Liquor License Application for PJM LLC dba Lee's Kitchen.

RECOMMENDATION:
Staff respectfully recommends the Council approve endorsement of the liquor license application for PJM LLC dba Lee's Kitchen..

EXECUTIVE SUMMARY:
PJM LLC dba Lee's Kitchen has submitted a new application under the liquor license category of full on-premises sales. This would permit them to sell and serve distilled spirits, malt beverages, wine, and cider for consumption at their location. The business is located at 8147 SW Nyberg Street. The application is in accordance with provisions of Ordinance No. 680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:
A fee has been paid by the applicant.

ATTACHMENTS:

- Application
- Vicinity Map



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Return completed form to:
City of Tualatin
Attn: Finance
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 10-14-25

IMPORTANT: *This is a three-page form. You are required to complete all sections of the form.*
If a question does not apply, please indicate N/A. Please include full names (last, first middle) and full dates of birth (month/day/year). Incomplete forms shall receive an unfavorable recommendation.
Thank you for your assistance and cooperation.

SECTION 1: TYPE OF APPLICATION

- ☒ Original (New) Application - \$100.00 Application Fee.
☐ Change in Previous Application - \$75.00 Application Fee.
☐ Renewal of Previous License - \$35.00 Application Fee. Applicant must possess current business license. License # _____
☐ Temporary License - \$35.00 Application Fee.

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): PJM LLC (DBA: LEE'S KITCHEN)

Business address 8147 SW NYBERG ST City TUALATIN State OR Zip Code 97062

Mailing address 14679 SW 153RD AVE City TIGARD State OR Zip Code 97224

Telephone # 503-591-7503 Fax # _____

Email ZHIHUI MA5789@GMAIL.COM

Name(s) of business manager(s) First ZHIHUI Middle _____ Last MA

Type of business RESTAURANT

Type of food served AMERICAN CHINESE FOOD

Type of entertainment (dancing, live music, exotic dancers, etc.) _____

Days and hours of operation MON - THUR: 11AM-10PM; FRI: 11AM-1AM; SAT: 12PM-1AM; SUN: 12PM-10PM

Food service hours: Breakfast _____ Lunch ALL DAY Dinner ALL DAY

Restaurant seating capacity 129 Outside or patio seating capacity _____

How late will you have outside seating? _____ How late will you sell alcohol? 1AM

How many full-time employees do you have? 5 Part-time employees? 0

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants _____
PJM LLC (DBA: LEE'S KITCHEN)

Type of liquor license (refer to OLCC form) FULL ON-PREMISES SALES

Form of entity holding license (check one and answer all related applicable questions):

☐ **INDIVIDUAL:** If this box is checked, provide full name, date of birth, and residence address.

Full name _____ Date of birth _____

Residence address _____

☐ **PARTNERSHIP:** If this box is checked, provide full name, date of birth and residence address for each partner. If more than two partners exist, use additional pages. If partners are not individuals, also provide for each partner a description of the partner's legal form and the information required by the section corresponding to the partner's form.

Full name _____ Date of birth _____

Residence address _____

Full name _____ Date of birth _____

Residence address _____

☐ **CORPORATION:** If this box is checked, complete (a) through (c).

(a) Name and business address of registered agent.

Full name _____

Business address _____

(b) Does any shareholder own more than 50% of the outstanding shares of the corporation? If yes, provide the shareholder's full name, date of birth, and residence address.

Full name _____ Date of birth _____

Residence address _____

(c) Are there more than 35 shareholders of this corporation? Yes No. If 35 or fewer shareholders, identify the corporation's president, treasurer, and secretary by full name, date of birth, and residence address.

Full name of president: _____ Date of birth: _____

Residence address: _____

Full name of treasurer: _____ Date of birth: _____

Residence address: _____

Full name of secretary: _____ Date of birth: _____

Residence address: _____

☒ **LIMITED LIABILITY COMPANY:** If this box is checked, provide full name, date of birth, and residence address of each member. If there are more than two members, use additional pages to complete this question. If members are not individuals, also provide for each member a description of the member's legal form and the information required by the section corresponding to the member's form.

Full name: ZHIHUI MA _____

Full name: _____ Date of birth: _____
Residence address: _____

☐ **OTHER:** If this box is checked, use a separate page to describe the entity, and identify with reasonable particularity every entity with an interest in the liquor license.

SECTION 4: APPLICANT SIGNATURE

A false answer or omission of any requested information on any page of this form shall result in an unfavorable recommendation.

 _____ 10-13-25
Signature of Applicant Date

For City Use Only

Sources Checked:

☒ DMV by AB ☒ LEDS by AB ☒ TuPD Records by AB
☒ Public Records by AB

☒ Number of alcohol-related incidents during past year for location.
☒ Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

☒ Granted

☐ Denied

Cause of unfavorable recommendation: _____

 _____
Signature Date

Greg Pickering
Chief of Police
Tualatin Police Department



ANNUAL & MULTI-YEAR LICENSE & PERMIT TYPES

License Type	OLCC License Fee	License Privileges and Requirements
Brewery ORS 471.221	\$1,000 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Brewery – Consumption license privileges • Brewery – Consumption Additional Location license privileges • Brewery – Non-Consumption license privileges • Brewery – Non-Consumption Additional Location license privileges • 'Consumption' designates a license that <i>allows</i> on-premises consumption (including tastings) of alcohol by patrons. Must meet the alcohol server education, service permit, and liquor liability insurance requirements. • 'Non-Consumption' designates a licensee that does <i>not</i> allow any on-premises consumption of alcohol by patrons. Eligible to be exempted from the alcohol server education, service permit, and liquor liability insurance requirements.
Brewery-Public House ORS 471.200	\$500 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Brewery-Public House license privileges • Brewery-Public House Additional Location license privileges
Certificate of Approval CERA 5-Year (for beer, wine, and cider) ORS 471.244	\$350 - valid for 5 years	• Allows a beer, wine, or cider manufacturer, wholesaler, or importer in a U.S. state other than Oregon to send malt beverages, wine, or cider to an Oregon wholesaler (the Oregon wholesaler may receive the alcohol only if the person sending the alcohol has a CERA and the Oregon wholesaler has the privilege to import the alcohol into Oregon). • Allows a wholesaler in Oregon to receive malt beverages, wine, and cider directly from a beer, wine or cider manufacturer, wholesaler, or importer outside of the U.S. (the Oregon wholesaler must get the CERA).
Certificate of Approval CERA 30-Day (for beer, wine, and cider) ORS 471.244	\$10 - valid for 30 days	• Allows a beer, wine, or cider manufacturer, wholesaler, or importer in a U.S. state other than Oregon to send malt beverages, wine, or cider to an Oregon wholesaler (the Oregon wholesaler may receive the alcohol only if the person sending the alcohol has a CERA and the Oregon wholesaler has the privilege to import the alcohol into Oregon) for a period of only 30 days.
Certificate of Approval – Distillery (for distilled spirits) ORS 471.251	No fee	• There is no need to apply for this certificate as it is automatically issued by the OLCC to businesses outside of Oregon who have applied to the OLCC and have been approved by the OLCC to sell distilled liquor by the bottle directly to the OLCC. • For more information: Listing distilled liquor in Oregon
Direct Shipper Permit ORS 471.282	\$100 annually	Direct Shipper Permit privileges
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License Type	OLCC License Fee	Link to the License Privileges and Requirements
Distillery ORS 471.230	\$200 annually	Distillery license privileges Distillery Tasting Additional Location license privileges
For-Hire Carrier	No fee, does not expire or require renewal	• For-hire carriers are retained by an OLCC licensee, retail sales agent, or distillery retail outlet agent to deliver or ship alcoholic beverages directly from a licensee, retail sales agent, or distillery retail outlet agent to a resident of Oregon or to a licensee of the OLCC without involvement of a third-party delivery facilitator or delivery person. To be an approved for-hire carrier, a company must meet the federal definition of either a motor carrier, a freight forwarder, or an air carrier. • Shipping and Delivering Alcohol in Oregon (website)
Full On-Premises Sales – Caterer ORS 471.175	\$800 annually	• Full On-Premises Sales – Caterer license privileges
Full On-Premises Sales – Commercial ORS 471.175	\$800 annually	• Full On-Premises Sales – Commercial license privileges
Full On-Premises Sales – For-Profit Private Club ORS 471.175	\$800 annually	• Full On-Premises Sales – For-Profit Private Club license privileges
Full On-Premises Sales – Nonprofit Private Club ORS 471.175	\$400 annually	• Full On-Premises Sales – Non-Profit Private Club license privileges
Full On-Premises Sales – Other Public Location ORS 471.175	\$800 annually	• Full On-Premises Sales – Other Public Location license privileges
Full On-Premises Sales – Public Passenger Carrier ORS 471.175	\$800 annually	• Full On-Premises Sales – Public Passenger Carrier license privileges
Grower Sales Privilege ORS 471.227	\$500 annually NOTE: There is no OLCC license fee for the 2 nd or 3 rd locations.	• Grower Sales Privilege – Consumption license privileges • Grower Sales Privilege – Consumption Additional Location license privileges • Grower Sales Privilege – Non-Consumption license privileges • Grower Sales Privilege – Non-Consumption Additional Location license privileges

License Type	OLCC License Fee	Link to the License Privileges and Requirements
In-State Certification of Approval – CERA 5 years	\$350 – valid for 5 years	Allows the holder of a Brewery, Warehouse, Wholesale Malt Beverage and Wine, and Winery licensee to import beer, wine, or cider produced OUTSIDE the US.
Limited On-Premises Sales ORS 471.178	\$400 annually	Limited On-Premises Sales license privileges
Off-Premises Sales ORS 471.186	\$200 annually	Off-Premises Sales license privileges
Third-Party Delivery Facilitator ORS 471.272	No annual fee	Third-Party Delivery Facilitator permit privileges
Warehouse ORS 471.242	\$200 annually	Warehouse license privileges
Wholesale Malt Beverage and Wine ORS 471.235	\$550 annually	Wholesale Malt Beverage and Wine license privileges
Winery ORS 471.223	\$500 annually NOTE: there is no OLCC license fee for the 2 nd – 5 th locations.	• Winery – Consumption license privileges • Winery – Consumption Additional Location license privileges • Winery – Non-Consumption license privileges • Winery – Non-Consumption Additional Location license privileges • WY designates a license that allows on-premises consumption (including tastings) of alcohol by patrons. Must meet the alcohol server education, service permit, and liquor liability insurance requirements • WYNC designates a licensee that does not allow any on-premises consumption of alcohol by patrons. Eligible to be exempted from the alcohol server education, service permit, and liquor liability insurance requirements



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Samantha Vandagriff, Building Official

DATE: October 27th, 2025

SUBJECT:

Consideration of Resolution 5920-25 authorizing the City Manager to execute an Intergovernmental Agreement (IGA) with the Department of Consumer and Business Codes Division ("DCBS") and other Municipalities ("Joining Parties") for the purpose of providing building services, plan review services, or inspection services to one another.

RECOMMENDATION:

Approval of Resolution 5920-25.

EXECUTIVE SUMMARY:

The City has the opportunity to join an IGA with DCBS and other participating jurisdictions for the purpose of sharing resources across the state. It will eliminate the need to have individual IGAs for specific services but not impact any existing or future IGAs that the City may have. It will enable the City to work with other participating jurisdictions to arrange interim Building Official services, plan review, and inspection services. The agreement also allows the City to work directly with the State of Oregon Building Codes Division.

This agreement will ensure that should an emergency event occur the City of Tualatin will have access to resources in the form of qualified building inspectors and plan reviewers who may work for other jurisdictions and fill in as needed for our Building Division.

OUTCOMES OF DECISION:

Approval of Resolution 5920-25 authorizes the City Manager to enter into the IGA with DCBS for the City to participate in sharing building services with DCBS and other Municipalities.

FINANCIAL IMPLICATIONS:

Each Requesting Party agrees to pay each Service Provider according to either a Percentage Option or Hourly Option (see Exhibit 1).

ATTACHMENTS:

- Building Evaluation Support Agreement (Fixed Term)

RESOLUTION NO. 5920-25

A RESOLUTION AUTHORIZING THE CITY OF TUALATIN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES, BUILDING CODES DIVISION (“DCBS”) AND OTHER MUNICIPALITIES (“JOINING PARTIES”), REFERRED TO AS THE BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM).

WHEREAS, the Department of Consumer and Business Codes Division (“DCBS”) and other municipalities (together, “Joining Parties”) have the opportunity to enter into an intergovernmental agreement for the purpose of providing building services, plan review services, or inspection services to one another; and

WHEREAS, Joining Parties are authorized to enter into this Building Evaluation Support Agreement (Fixed Term) (“Agreement”) in accordance with ORS 190.110 and 455.185; and

WHEREAS, Joining Parties intend to provide building official services, plan review services, or inspection services to each other when requested and mutually agreed; any municipality that is a Joining Party may request from and provide services to DCBS and any other municipality that is also a Joining Party; and

WHEREAS, the City would benefit by entering into this Agreement; namely by having the opportunity to work with other participating jurisdictions to arrange interim Building Official services, plan review, and inspection services and work directly with the State of Oregon Building Codes Division; and

WHEREAS, the Agreement shall become effective on the date on which such Joining Party has executed and delivered said Agreement, and shall expire on June 30, 2034, unless earlier terminated in accordance with Section X of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute this attached Building Evaluation Support Agreement (Fixed Term) with the Department of Consumer and Business Services, Building Codes Division (“BCBS”).

Section 2. The City Manager is hereby authorized to execute any amendments necessary to effectuate the stated purposes of the Agreement.

Section 3. This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council this ___ day of September, 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM)

MASTER AGREEMENT PO-44000-00039380

This BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM) ("**Agreement**") is entered into by and amongst the Joining Parties, as defined in Section I of this Agreement, in accordance with ORS 190.110 and 455.185.

I. PARTIES; NOTICES

The parties to this Agreement are (A) the Department of Consumer and Business Services, Building Codes Division ("DCBS"); and (B) each municipality providing building official services, plan review services, or inspection services pursuant to ORS Chapter 455 (and its related rules) that executes an undertaking in the form attached hereto as Exhibit 1 and delivers (by mail or email) such undertaking to the following (or such other address and email address as may be specified in writing by DCBS):

Building Codes Division
Department of Consumer and Business Services
Attn: Dawn Bass
P.O. Box 14470
Salem, OR 97309-0404
Email: Dawn.Bass@dcbs.oregon.gov

Each such executed and delivered undertaking (including the undertaking executed and delivered by DCBS) may be referred to herein as an "**Undertaking**". Those who become party to this Agreement (including DCBS) may be referred to herein individually as a "**Joining Party**" and collectively as the "**Joining Parties**". DCBS will maintain on its website, www.oregon.gov/bcd, a list of all Joining Parties, and DCBS will deliver and make available to all Joining Parties each Undertaking executed and delivered in accordance with this Agreement. The Undertaking executed and delivered by DCBS is attached hereto as Exhibit 2.

All notices to be given to any Joining Party under this Agreement shall be delivered in accordance with the information set forth on the Undertaking of such Joining Party.

II. PURPOSE

By this Agreement, the Joining Parties intend to provide building official services, plan review services, or inspection services to each other when requested and mutually agreed. For example, any municipality that is a Joining Party may request from and provide services to DCBS and any other municipality that is also a Joining Party.

III. TERM OF AGREEMENT

As to each Joining Party, this Agreement shall become effective on the date on which such Joining Party has executed and delivered its Undertaking in accordance with this Agreement. As to all

Joining Parties, this Agreement shall expire on June 30, 2034, unless earlier terminated in accordance with Section X of this Agreement.

IV. STATEMENT OF WORK

- A. When requesting or receiving services under this Agreement, a Joining Party is a **“Requesting Party”**. When providing or agreeing to provide requested services under this Agreement, a Joining Party is the **“Service Provider”**.
- B. A Requesting Party shall:
 - 1. When services are needed, contact the Building Official of the Service Provider from whom such services are requested;
 - 2. Electronically provide inspection requests to the Building Official of the Service Provider, at least twenty-four (24) hours in advance of any inspection;
 - 3. Send all construction plans for which plan review is requested to the address referenced in the Undertaking of the Service Provider; and
 - 4. Remit payment in accordance with Section V.
- C. If a Service Provider agrees to provide requested services to a Requesting Party, the Service Provider shall:
 - 1. Provide an interim Building Official who is certified to perform Building Official duties during business hours by telephone and onsite, as requested. The interim Building Official shall be an employee of the Service Provider, managed by, reporting within, and subject to the direction and control of the Service Provider;
 - 2. Perform plan review and inspection services, by plan or inspection as requested, consistent with construction codes and standards adopted by the State of Oregon;
 - 3. Perform services using Service Provider staff possessing appropriate certification or designation recognized by the State of Oregon;
 - 4. Complete residential plan reviews within ten (10) calendar days of receipt of complete plans, not including any time the plans are with the customer for correction. Complete commercial Plan reviews within fifteen (15) calendar days of receipt of complete plans, not including any time the plans are with the customer for correction; and
 - 5. Submit inspection reports to the Requesting Party within forty-eight (48) hours of the inspection.
- D. The only services that will be provided under this Agreement are those requested by the Requesting Party and as Service Provider has available staff to complete the requested work and has agreed to so provide.

V. CONSIDERATION

- A. Each Requesting Party agrees to pay each Service Provider according to one of the following options:
 - 1. Percentage Option:
 - a. Ninety percent (90%) of the plan review fee collected by the Requesting Party for each plan review completed by the Service Provider.
 - b. Ninety percent (90%) of the permit fee collected by the Requesting Party for permitted work where the Service Provider will conduct all associated inspections with the permit.
 - c. Eighty-five dollars (\$85.00) per hour for any work performed by Service Provider that is not identified in (a) or (b).
 - d. For each month that Service Provider provides interim building official services, but no inspection services or plan review services, ten percent (10%) of all building code related fees collected by Requesting Party.
 - 2. Hourly Option: An hourly rate of eighty-five dollars (\$85.00) per hour for all work performed by the Service Provider.
- B. Each Joining Party certifies that, at the time such Joining Party executes and delivers its Undertaking in accordance with this Agreement, sufficient funds are available and authorized for expenditure to satisfy the financial obligations incurred by such Joining Party under this Agreement.
- C. Requesting Party shall remit payment to Service Provider on a quarterly basis. Quarters will be: January through March, April through June, July through September, and October through December. Payment is due within 60 days of the close of each quarter. Requesting Party shall deliver payment to the address specified in the Undertaking of the Service Provider.
- D. With each payment for work done under this Agreement, Requesting Party shall provide Service Provider with the following for each quarter for which payment is being remitted:
 - 1. Documentation of each plan review performed by Service Provider and the associated fees collected by Requesting Party;
 - 2. Documentation of each permit inspected by Service Provider and the associated fees collected by Requesting Party;
 - 3. Documentation of any request for interim building official services made, as well as the month and number of hours Service Provider provided interim building official services;
 - 4. Documentation of all work performed by Service Provider at the hourly rate under paragraph A.1.c or A.2 of this section, as well as the date and number of hours such

work was performed; and

5. If interim building official services were provided, Requesting Party's accounting of all plan review fees and permit fees collected by Requesting Party, and all payment remitted to Service Provider, for the subject quarter.
- E. Each Requesting Party agrees that it shall provide or make available, if and as requested by a Service Provider, any and all records and information related to this Agreement of which the Requesting Party is custodian, within thirty (30) days of such request by the Service Provider.
- F. Each Joining Party agrees that it shall retain and not destroy any and all documents and records related to this Agreement for a minimum of one year after such document or record is created.

VI. TRAVEL AND OTHER EXPENSES

Requesting Party shall not be responsible to Service Provider for travel or other expenses.

VII. BREACH

No Joining Party shall be in breach of this Agreement until written notice of an unperformed obligation has been given and such obligation remains unperformed after notice for ten (10) days. In the event of a breach, a Joining Party not in breach (a "**Nonbreaching Party**") shall be entitled to seek damages or any other remedy provided by applicable law against the breaching Joining Party (a "**Breaching Party**").

VIII. THIRD PARTY CLAIMS; CONTRIBUTION

If any person who is not a Joining Party ("**Third Party**") makes any claim or brings any action, suit, or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("**Third Party Claim**") against a Joining Party (the "**Notified Party**") with respect to which any other Joining Party (each, an "**Other Party**") may have liability, the Notified Party must promptly notify each such Other Party in writing of the Third Party Claim and deliver to each such Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. The Notified Party and each Other Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by an Other Party of the notice and copies required in this paragraph and the meaningful opportunity for such Other Party to participate in the investigation, defense, and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to such Other Party's liability with respect to the Third Party Claim.

With respect to any Third Party Claim for which any Joining Party is jointly liable with any of the other Joining Parties (or would be if joined in the Third Party Claim), each such jointly liable Joining Party shall contribute to the amount of expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred and paid or payable by all such jointly liable Joining Parties in such proportion as is appropriate to reflect the relative fault of such jointly liable Joining Party in connection with the events which resulted in such expenses, judgments, fines, or settlement amounts, as well as any other relevant equitable considerations. The relative fault of each such jointly liable Joining Party shall be determined by reference to,

among other things, the parties' relative intent, knowledge, access to information, and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. In any instance, the contribution amount of each such jointly liable Joining Party is capped to the same extent as it would have been capped under Oregon law if such Joining Party had sole liability in the proceeding.

IX. AMENDMENTS

The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended except by written instrument signed by all Joining Parties. This Agreement may be extended upon written amendment.

X. TERMINATION

This Agreement may be terminated with respect to all Joining Parties by the written mutual assent of all Joining Parties. Any Joining Party may terminate its status as a party to this Agreement upon thirty (30) days' notice, in writing to DCBS.

XI. FORCE MAJEURE

No Joining Party shall be held responsible for delay or failure to perform when such delay or failure is due to fire, flood, epidemic, strikes, acts of God or the public enemy, unusually severe weather, legal acts of public authorities, or delays or defaults caused by public carriers, which cannot be reasonably foreseen or provided against. In such event, the period for the performance shall be extended for the period of such delay. Upon the cessation of the cause of delay or nonperformance, the affected Joining Party shall resume performance of its obligations under this Agreement. Any Joining Party may terminate its status as a party to this Agreement, effective with the giving of written notice, if it determines that such delays or failure will reasonably prevent successful performance in accordance with the terms of this Agreement.

XII. ALTERNATIVE DISPUTE RESOLUTION

The Joining Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of this Agreement. In addition, the Joining Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

XIII. NONDISCRIMINATION

The Joining Parties shall comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules, and regulations in the performance of this Agreement.

XIV. COMPLIANCE WITH APPLICABLE LAWS; GOVERNING LAW

The Joining Parties shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done under this Agreement. The parties agree that this Agreement shall be administered and construed under the laws of the State of Oregon.

XV. PARTNERSHIP

No Joining Party is, by virtue of this Agreement, a partner of or joint venturer with any other Joining Party in connection with activities carried out under this Agreement, and no Joining Party shall have any obligation with respect to any other Joining Party's debts or any other liability or obligation of any other Joining Party of whatever kind or nature.

XVI. AUDIT

DCBS reserves the right to audit all records of any other Joining Party that may be pertinent to this Agreement, and such other Joining Party shall bear the expense of any such audit.

XVII. NO WAIVER OF CLAIMS

The failure by any Joining Party to enforce any provision of this Agreement shall not constitute a waiver by that party of that provision or of any other provision or provisions of this Agreement.

XVIII. ENTIRE AGREEMENT

This Agreement, including all Undertakings executed and delivered by the Joining Parties, constitutes the entire Agreement between the Joining Parties concerning the subject matter of this Agreement and supersedes any and all prior or contemporaneous negotiations or agreements between the Joining Parties, or any of them, whether written or oral, concerning the subject matter of this Agreement which is not fully expressed herein. This Agreement may not be modified or amended except by a writing signed by all Joining Parties.

JOINING PARTY SIGNATURES

See various Undertakings, each of which is incorporated into and made part of this Agreement.

EXHIBITS

Ex. 1: Form of Undertaking

Ex. 2: Executed DCBS Undertaking

EXHIBIT 1

BUILDING EVALUATION SUPPORT AGREEMENT

FORM OF UNDERTAKING

The undersigned City of Tualatin hereby:

1. Enters into and joins that certain BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM), a copy of which is attached hereto as Exhibit A (the “Agreement”), as a Joining Party;
2. Represents that it has read and understands the Agreement and all terms and conditions thereof;
3. Agrees to comply with and be bound by the Agreement and all terms and conditions thereof; and
3. Reaffirms and restates all material assertions, representations, and warranties made by the Joining Parties in the Agreement.

CONTRACT ADMINISTRATOR

The undersigned’s Contract Administrator for the Agreement is:*

Name:	<u>Sherilyn Lombos</u>	Address:	<u>18880 SW Martinazzi Ave</u>
Title:	<u>City Manager</u>		<u>Tualatin, OR 97062</u>
Phone:	<u>(503) 691-3010</u>		<u></u>
Email:	<u>slombos@tualatin.gov</u>	FEIN:	<u></u>

NOTICES

All notices and deliveries (other than payment) to the undersigned under the Agreement should be directed to:*

Joining Party:	<u>City of Tualatin</u>
ATTN:	<u></u>
Address:	<u>10699 SW Herman Rd</u>
	<u>Tualatin, OR 97062</u>
Email:	<u>svandagriff@tualatin.gov</u>

PAYMENTS

All payments to the undersigned under the Agreement should be directed to:*

Joining Party: City of Tualatin
ATTN: _____
Address: 10699 SW Herman Rd
Tualatin, OR 97062
Email: ap@tualatin.gov

**Or as may be otherwise designated in writing and delivered to all Joining Parties.*

The undersigned understands and acknowledges that this undertaking shall not take effect unless and until this undertaking is executed and delivered in accordance with Section I of the Agreement.

IN WITNESS WHEREOF, the undersigned has executed this undertaking and the Agreement as of the date set forth below.

JOINING PARTY:

City of Tualatin

Signature: _____

Name: _____

Title: _____

Date: _____

Signature: _____

Name: _____

Title: _____

Date: _____

EXHIBIT 2
BUILDING EVALUATION SUPPORT AGREEMENT
EXECUTED DCBS FORM OF UNDERTAKING

The undersigned, Department of Consumer and Business Services, Building Codes Division hereby:

1. Enters into and joins that certain BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM), a copy of which is attached hereto as Exhibit A (the "Agreement"), as a Joining Party;
2. Represents that it has read and understands the Agreement and all terms and conditions thereof;
3. Agrees to comply with and be bound by the Agreement and all terms and conditions thereof; and
3. Reaffirms and restates all material assertions, representations, and warranties made by the Joining Parties in the Agreement.

CONTRACT ADMINISTRATOR

The undersigned's Contract Administrator for the Agreement is:*

Name: Michelle Usselman Address: PO Box 14470
Financial Operations
Title: Manager Salem, OR 97309-0404
Phone: 503-378-3755 Email: Michelle.M.Usselman@dcbs.oregon.gov

NOTICES

All notices and deliveries (other than payment) to the undersigned under the Agreement should be directed to:*

Joining Party: DCBS – Building Codes Division
ATTN: Statewide Services
Address: PO Box 14470
Salem, OR 97309-0404
Email: BCD.jurisdictionsupport@dcbs.oregon.gov

PAYMENTS

All payments to the undersigned under the Agreement should be directed to:*

Joining Party: DCBS – Building Codes Division
ATTN: Fiscal Services
Address: PO Box 14470
Salem, OR 97309-0404
Email: Fiscal.BCD@dcbs.oregon.gov

**Or as may be otherwise designated in writing and delivered to all Joining Parties.*

The undersigned understands and acknowledges that this undertaking shall not take effect unless and until this undertaking is executed and delivered in accordance with Section I of the Agreement.

IN WITNESS WHEREOF, the undersigned, Department of Consumer and Business Services, Building Codes Division has executed this undertaking and the Agreement as of the date set forth below.

DCBS:

State of Oregon, Department of Consumer and Business Services, Building Codes Division

Reviewed by:

Executed by:

Signature: *Dawn Bass*
Dawn Bass (Oct 2, 2024 11:55 PDT)
Name: Dawn Bass
Title: Deputy Administrator
Date: 10/02/2024

Signature: *Miriha Aglietti*
Name: Miriha Aglietti
Title: Designated Procurement Officer
Date: 10/03/2024

State of Oregon Approvals:

Approved Pursuant to ORS 279A.140
Department of Administrative Services

Approved Pursuant to ORS 291.047
Department of Justice

Signature: Not Required per OAR 125-247-0365(4)
Name: _____
Title: _____
Date: _____

Signature: Approved via email
Name: Jacob Gill
Title: Assistant Attorney General
Date: 09/09/2024



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Megan Cohen, Homelessness City/County Liaison

DATE: October 27, 2025

SUBJECT:

Consideration of Resolution No. 5921-25 Authorizing the City Manager to Sign an Intergovernmental Agreement with Metro for the Operation of the Sharps Collection Box Pilot Program

RECOMMENDATION:

Approve the IGA between City of Tualatin and Metro for the Sharps Collection Box Pilot Program.

EXECUTIVE SUMMARY:

Metro currently manages 14 sharps collection boxes that are available 24 hours a day, seven days a week for free sharps disposal. The sharps collection boxes are provided for individuals and households and are not for business use. Sharps include but are not limited to lancets, syringes, needles, needle connectors, auto-injectors and infusion sets. Metro allocated \$800,000 of state cleanup funds from House Bill 5202 to launch a four-year pilot program that will expand sharps collection boxes throughout the region to reduce the number of sharps dumped in public spaces. Several cities in Washington County were selected to provide a location for Metro-managed sharps containers, and City of Tualatin identified a need for a box at the Tualatin Lake of the Commons (see attachment A for location).

Access to sharps disposal is becoming more difficult due to fewer pharmacies accepting sharps and the high cost of disposal options like mail-back programs. Access to sharps disposal increases livability for community members by providing safe disposal options and reducing the risk of syringes in neighborhoods. Metro will regularly assess box fullness and check for garbage, litter and graffiti, maintaining the box and the immediate area around it. Metro will work with Triology MedWaste, Republic's subcontractor for Medical Waste, to service the box. The Intergovernmental Agreement will terminate on January 31, 2030.

OUTCOMES OF DECISION:

Metro will place a Sharps Collection Box at the Tualatin Lake of the Commons, for public use, in fall 2025. The box will be serviced and maintained by Metro.

FINANCIAL IMPLICATIONS:

The placement and servicing of the sharps collection box at Tualatin Lake of the Commons will be provided by Metro, at no cost to the City of Tualatin.

ATTACHMENTS:

- Resolution No. 5921-25
- Attachment A: Tualatin Lake of the Commons Box Placement
- Attachment B: Intergovernmental Agreement

- Attachment C: Metro Sharps Collection Box FAQs

RESOLUTION NO. 5921-25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN
INTERGOVERNMENTAL AGREEMENT WITH METRO FOR THE OPERATION OF
THE SHARPS COLLECTION BOX PILOT PROGRAM

WHEREAS, access to sharps disposal is becoming more difficult due to fewer pharmacies accepting sharps;

WHEREAS, access to sharps disposal increases livability for community members by providing safe disposal options;

WHEREAS, Metro allocated \$800,000 of state cleanup funds from House Bill 5202 to launch a four-year pilot program that will expand sharps collection boxes throughout the region to reduce the number of sharps dumped in public spaces;

WHEREAS, Metro will operate and maintain a sharps collection box in Tualatin at the Lake of the Commons 24/7, 365 days a year for the length of the pilot program until January 31, 2030 at no cost to City of Tualatin;

WHEREAS, Metro will work with Triology MedWaste, Republic's subcontractor for Medical Waste, to service the box and the immediate area around it regularly;

WHEREAS, Metro and the City of Tualatin desire to enter into an intergovernmental agreement for the operations of the sharps collection box pilot program;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, THAT:

Section 1. The City of Tualatin's Intergovernmental Agreement with Metro for the Sharps Collection Box Pilot Program is attached in Exhibit A.

Section 2. The City Manager is authorized to execute the attached Intergovernmental Agreement.

Section 3. The City Manager is hereby authorized to execute any amendments necessary to effectuate the stated purposes of the Agreement.

Section 4. This resolution is effective upon adoption.

Adopted by the City Council this 27th day of October, 2025.

ATTEST:

CITY OF TUALATIN, OREGON

BY _____
City Recorder

BY _____
Mayor



Intergovernmental Agreement

Metro Contract No. 940420

This INTERGOVERNMENTAL AGREEMENT ("IGA"), is made and entered into as of September 15th, 2025 ("Effective Date") by and between City of Tualatin ("Agency") and Metro, a municipal corporation of the State of Oregon ("METRO").

RECITALS

WHEREAS, METRO is a unit of local government authorized to enter into intergovernmental agreements pursuant to ORS 190.010-190.030; and

WHEREAS, Agency is a unit of local government authorized to enter into intergovernmental agreements pursuant to ORS 190.010-190.030; and

WHEREAS, each party desires to enter into an Intergovernmental Agreement to help facilitate the operations of the sharps collection box pilot program.

IN CONSIDERATION of their mutual promises and the terms and conditions set forth below, the Parties agree as follows:

1. PURPOSE. This IGA is intended to further the Parties' mutual purpose of siting, operating and maintaining the sharps collection box identified in this IGA. Generally, Agency agrees to the siting of the collection box at Tualatin Lake at the Commons located at 8325 SW Nyberg Street, Tualatin 97062 and to allow METRO's access, whether directly or through its service providers, to this site for servicing, cleaning, installation and repair of the collection box. This sharps collection box is part of a pilot program designed to assess demand, usage and associated costs. Once installed, Metro will fund the pilot box for up to four years.

2. TERM. This IGA begins on September 15, 2025 and terminates on January 31, 2030.

3. DEFINITIONS.

- A. "Servicing" means the actions and activities necessary to maintain and operate a sharps collection box including, but not limited to:
- a. Data collection.
 - b. Collecting photos capturing box conditions.
 - c. Basic box cleaning and litter pick up around the box within a three-foot radius around the box.
 - d. Removing and replacing sharps container bins when greater than 50 percent full, and transporting the sharps to an authorized disposal location, with all such actions being performed in compliance with all applicable laws, statutes, rules, and other regulations of any kind.

Intergovernmental Agreement

- e. Responding to and resolving non-routine service calls the resolution of which may include decontamination (as that term is defined in 29 CFR 1910.1030) of a damaged collection box.
- B. “Cleaning” means disinfecting collection box deposit door handles and exterior surfaces, providing basic graffiti removal from collection boxes, and replacing collection box sharps containers or transport tubs as needed.
- C. “Collection box” means a secure metal receptacle designed to house a rigid plastic sharps container for the collection of sharps by the public that is installed and maintained under the umbrella of the sharps collection box program.
- D. “Installation” means the installation or removal of any collection box at or from a site.
- E. “Repair” means the repair of the collection box, meaning any reasonably-required maintenance or repair, whether on-site or off-site.

4. RESPONSIBILITIES OF Agency. Agency will:

- A. Allow service providers retained by METRO access to the collection box, together with all appurtenances reasonably appropriate for such access, for the purpose of servicing, cleaning, installation and repair of the collection box.
- B. Notify METRO seven business days in advance to request collection box removal from the site.
- C. Ensure Agency staff are informed of each parties’ obligations under this contract, including not referring calls to other agencies.
- D. Identify and advise METRO on suitable property location for box placement.
- E. Notify METRO of any construction or other activities that may impact access to the box.
- F. Notify METRO for any needed public communications.
- G. Maintain communication with METRO to address timely questions and concerns.
- H. Provide guidance on the necessary permits for box placement.

Intergovernmental Agreement

5. RESPONSIBILITIES OF METRO. METRO will:

- A. Post contact information on each sharps collection box for reporting any issues to appropriate METRO contact.
- B. Post sharps collection box information to appropriate METRO website.
- C. Contract with service providers for servicing, cleaning, installation and repair of the collection box.
- D. Train METRO staff to be familiar with procedures each party is obligated to, including not referring calls to other agencies.
- E. Notify Agency seven business days in advance prior to removing collection box.
- F. Notify Agency of any changes to the service providers retained by METRO to access the collection box for the purpose of servicing, cleaning, installation and repair of the collection box.

6. NOTICE.

- A. All notice and any other communication to METRO, whether required, voluntary, or otherwise, relating to performance of this IGA must be provided to METRO's Authorized Representative as follows:

Abigail Herrera
Senior Solid Waste Planner
Metro
Waste Prevention and Environmental Services Department
600 NE Grand Avenue
Portland, OR 97232
(503) 459-7119
abigail.herrera@oregonmetro.gov

with copy to:

Shane Abma
Office of Metro Attorney
600 NE Grand Avenue
Portland, OR 97232
MetroAttorney@oregonmetro.gov

Intergovernmental Agreement

- B. METRO must provide all notice and any other communication to Agency, whether required, voluntary, or otherwise, relating to performance of this IGA to Agency's Authorized Representative as follows:

Megan Cohen
Homelessness City/County Liaison
13125 SW Hall Blvd
Tigard OR 97223
503-758-4970
megan.cohen@tigard-or.gov

- C. Any communication described in this Section 6 required to be in writing under this IGA, or desired to be made in writing, may, in the sole discretion of the Party making such communication, be delivered to the other Party via email.

7. TERMINATION. Either party may terminate this IGA upon 30 days written notice.

8. INDEMNIFICATION. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, Agency will indemnify, defend and hold harmless METRO from and against all liability, loss and costs arising out of or resulting from the acts of Agency, its officers, employees, contractors and agents in the performance of this IGA. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300 METRO will indemnify, defend and hold harmless Agency from and against all liability, loss and costs arising out of or resulting from the acts of METRO, its officers, employees, contractors and agents in the performance of this IGA.

9. INSURANCE. Each Party is responsible for providing worker's compensation insurance as required by law. Neither Party is required to provide or show proof of any other insurance coverage. METRO will be responsible for ensuring any contractor/vendor providing services to METRO under this IGA has reasonable insurance coverage.

10. ADHERENCE TO LAW. Each Party must comply with all federal, state and local laws, ordinances, rules and all other regulations applicable to this IGA.

11. NON-DISCRIMINATION. Each Party must comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.

12. SUBCONTRACTS AND ASSIGNMENT. Neither Party will subcontract or assign any part of this IGA without the written consent of the other Party, except that METRO may subcontract for performance of all or any part of the servicing without any further authorization or consent from Agency.

13. DAMAGE. Notwithstanding METRO's obligation under this IGA to service the collection boxes, if the collection box is no longer commercially reasonable due to damage to that collection box, METRO will promptly remove the collection box or cause the collection box to be removed from the site in which it is installed and transported and properly disposed.

Intergovernmental Agreement

14. ENTIRE AGREEMENT; AMENDMENT. This IGA constitutes the entire agreement between the Parties. Each Party represents to the other and acknowledges that neither of them has made any representations or warranties to the other not expressly set forth in this IGA. This IGA may be modified, amended, or extended only by the written agreement of the Parties.

15. COUNTERPARTS; FACSIMILE SIGNATURES. This Agreement may be executed in a number of counterparts, each of which is deemed an original and all of which constitute one and the same Agreement. This Agreement may be executed by electronic, digital, or facsimile signature and any such signature is considered to have the same binding legal effect as a hand-written signature.

This IGA is executed by the signatures indicated below of the Parties' authorized representatives, effective September 15, 2025.

FOR METRO:

By: _____

Stephanie Rawson

WPES Community Stewardship Manager

Date: _____

Approved as to Form:

By: _____

Shane Abma, Senior Metro Attorney

Date: _____

FOR City of Tualatin:

By: _____

Printed Name: _____

Title: _____

Date: _____

Reviewed:

By: _____

Date: _____



Sharps Collection Box Expansion

Final location selection FAQs

How does the program currently operate?

- Metro currently manages [14 sharps collection boxes](#) that are available 24 hours a day, seven days a week for free sharps disposal. The sharps collection boxes are provided for individuals and households and are not for business use. Sharps include but are not limited to lancets, syringes, needles, needle connectors, auto-injectors and infusion sets.

What is the history of the sharps collection box program?

- Multnomah County began the sharps collection box effort in 2016 to make Portland cleaner and safer for people by reducing the number of improperly discarded syringes. The effort included multiple government agencies and spanned several years. The current 14 collection box locations are in Portland. The locations were chosen by Multnomah County and the City of Portland, who pay Metro an annual fee to manage the program and cover the costs of servicing the boxes. Metro began managing the sharps collection box program in 2019, with Multnomah County, City of Portland and other funding partners. Metro funds the sharps collection box located at the North by Northeast Community Health Center.

Why does Metro want to expand the sharps collection box program?

- Sharps collection boxes increase access to free and convenient disposal options. Between January 2022 and May 2024, Metro's RID Patrol collected more than 90,000 dumped sharps from public spaces across the region. This poses a serious livability concern for people in greater Portland, who report finding used syringes in their neighborhoods. Access to sharps disposal is becoming more difficult due to fewer pharmacies accepting sharps and the high cost of disposal options like mail-back programs.

How much will the sharps collection box expansion pilot cost?

- Metro allocated \$800,000 of state cleanup funds from [House Bill 5202](#) to launch a four-year pilot program that will expand sharps collection boxes throughout the region to reduce the number of sharps dumped in public spaces.

When will the sharps collection box expansion pilot go into effect?

- Metro plans to install 20-25 additional sharps collection boxes by July 1, 2025.

Where will the new sharps collection boxes be located?

- Metro collaborated with local governments and community-based organizations to determine where to install the new sharps collection boxes, receiving [more than 100 proposed locations](#). To prioritize the suggestions, Metro developed a suitability scorecard that considers eight lenses such as the proposed locations' proximity to public transit, equity-focused areas, multi-family residences and sites where sharps are frequently found. Additionally, Metro prioritized placing the new collection boxes across the region to increase access outside of Portland.

What are the Downtown Portland Clean & Safe sharps collection boxes?

- Downtown Portland Clean & Safe manages four sharps collection boxes, which are separate from the 14 collection boxes that Metro currently manages.

What is the responsibility of a property owner hosting a sharps collection box?

- Owners hosting a sharps collection box will be asked to perform the following tasks, with responsibilities discussed on a per-contract basis:
 - Identify and advise Metro on suitable property location for box placement.
 - Provide guidance on the necessary permits for box placement.
 - Notify Metro of any construction or other activities that may impact access to the box.
 - Assist in promoting use of the box.
 - Maintain communication with Metro to address timely questions and concerns.

Who manages the sharps collection boxes?

- Metro oversees program operations through contracted companies that service the sharps collection boxes two times per week. **The property owner hosting the sharps collection box is not responsible for maintenance.** Metro is also working with the Oregon Refuse and Recycling Association to discuss servicing options in locations that have franchised solid waste collection systems.

What does “servicing” the sharps collection box involve?

- Maintaining the sharps collection boxes helps to present a safe and welcoming environment for people who use the boxes. Sharps collection boxes are currently serviced twice a week, which includes:
 - Removing and replacing sharps container bins.
 - Transporting the sharps container bins to an authorized disposal location.
 - Submitting data on the Metro application via smartphone or tablet.
 - Taking photos to document box conditions such as a full bin, blocked access and graffiti.
 - Cleaning the box and picking up litter within 3 feet of the box.
 - Applying disinfectant to the box handle and other high-touch areas.
 - Removing graffiti.

What if a sharps collection box needs to be serviced outside of the twice-per-week schedule?

- Sharps collection box signage directs the public to contact Metro’s RID Patrol, which will quickly dispatch service when a box is full or jammed.

What will Metro measure during the four-year pilot expansion?

- Metro will collect data during the pilot to inform future planning efforts and determine need. Metro will regularly assess box fullness and check for garbage, litter and graffiti using a mobile device designed for ease of use and quick data entry. Furthermore, Metro intends to enhance its understanding of user experiences by conducting a survey accessible via a QR code displayed on the collection box.

What happens when the four-year pilot ends?

- Securing long-term funding to continue servicing the sharps collection boxes is essential to ensure continued availability to the public beyond the four-year pilot. If sustainable funding is not obtained, boxes may need to be removed after the pilot period.

Who do I contact to learn more?

- Contact Abby Herrera, Metro senior solid waste planner, at abigail.herrera@oregonmetro.gov or (503) 459-7119.



Sharps collection box images





CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Mike McCarthy, City Engineer
Abby McFetridge, Engineering Associate

DATE: October 27, 2025

SUBJECT:

Consideration of Resolution No. 5922-25 Authorizing Amendment No. 1 to the Contract with Consor for Engineering Services for the Water Reservoir & Pump Station at ASR Project.

EXECUTIVE SUMMARY:

The City's water distribution system is divided into four different Pressure Zones (A, B, C, and Bridgeport) to efficiently manage water supply across varying elevations within the City. The City's Capital Improvement Plan includes a project to provide additional distribution system storage to meet existing and future needs in Pressure Zones A and B (CIP 601). This will be achieved by constructing a new B-Level Reservoir at the existing ASR site. Additionally, to improve supply capacity and reliability in Pressure Zone C, the project will include the construction of a new pump station (CIP 603).

To successfully carry out this project, the City requires a professional engineering firm to provide project management, design, engineering, public outreach, permitting, and construction management services. The City issued a qualifications-based formal solicitation for these services in April of 2024 and in June 2024, the City Council approved Resolution No. 5777-24, awarding a professional services contract to Consor. The initial contract amount was \$1,022,365 and was structured to cover design, permitting, and bidding support, with construction-phase services to be added later under an amendment.

The project is now ready to enter the bidding phase, with construction to follow after award. The City requires additional professional services to support the construction phase. Amendment No. 1 would add construction management and inspection services necessary to successfully deliver the project. The proposed amendment adds \$863,663.00 to the contract on a time and materials, not-to-exceed basis.

OUTCOME OF DECISION:

Adopting the resolution and authorizing contract execution would allow the City to obtain construction management support, ensuring the project is built in accordance with design specifications and regulatory requirements.

FINANCIAL IMPLICATIONS:

Funds for this project are available in the Water Fund.

ATTACHMENTS:

- Resolution No. 5922-25 Authorizing Amendment No. 1.

RESOLUTION NO. 5922-25

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH
CONSOR FOR ENGINEERING SERVICES FOR THE WATER RESERVOIR & PUMP
STATION AT ASR PROJECT

WHEREAS, the above-referenced project was advertised on April 8, 2024 in the *Daily Journal of Commerce* and the City requested qualifications-based proposals for consultants in support of its capital improvement program;

WHEREAS, two proposals were received prior to the May 7, 2024 submission deadline, and Consor North America, Inc. submitted the highest-ranked proposal;

WHEREAS, on June 24, 2024, the City Council adopted Resolution No. 5777-24, awarding a professional services contract to Consor in the amount of \$1,022,365 for design, engineering, public engagement, permitting, and bidding support, with construction-phase services to be covered under a subsequent amendment;

WHEREAS, the project is now preparing to enter the bidding phase, with construction to follow after award, and the City requires additional professional services for construction administration, observation, special inspections, and project closeout to ensure successful delivery; and

WHEREAS, there are funds budgeted for this project in the Water Fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Manager is authorized to execute Amendment No. 1 for construction management and inspection services in an amount not to exceed \$863,663.00. This sum is in addition to the \$1,022,365 previously authorized.

Section 2. The City Manager, or the City Manager's designee, is authorized to execute Change Orders totaling up to 10% of the combined amount of the original contract and Amendment #1.

Section 3. This resolution is effective upon adoption.

Adopted by the City Council this 27th day of October, 2025.

ATTEST:

CITY OF TUALATIN, OREGON

BY _____
City Recorder

BY _____
Mayor



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Lindsay Marshall, Management Analyst, Public Works

DATE: October 27, 2025

SUBJECT:

Resolution No. 5923-25 A Resolution Authorizing the City Manager to Apply for and Accept Community Development Block Grant Funds to Install Flashing Beacons for Pedestrian Safety

RECOMMENDATION:

Staff recommends that Council approve the resolution.

EXECUTIVE SUMMARY:

The Washington County Office of Community Development is accepting proposals for the Community Development Block Grant (CDBG) Program 2026-2027 funding cycle. The City of Tualatin can benefit from this grant program and is seeking CDBG funding to install two Rectangular Rapid Flashing Beacon (RRFB) crosswalks in low-income census blocks that experience high pedestrian stress.

Specifically, the project would install RRFB crosswalks at two locations: SW Boones Ferry Road (between SW Sagert Street and SW Warm Springs Street) and SW Sagert Street (between SW Martinazzi Avenue and the I-5 Bridge). RRFBs are safety devices installed at crosswalks, especially those not at intersections, that use alternating, high-frequency flashing yellow LED lights to alert drivers to pedestrians in the crosswalk, prompting them to yield. RRFBs are designed to increase driver awareness and can significantly increase motorist yielding rates, making them an effective tool for pedestrian safety at marked crossings.

These two sections of roadways were identified in Tualatin's Transportation System Plan as long distances (0.25-0.5 miles) without a safe, marked crossing. In locations without safe crossings, pedestrians are more likely to cross unsafely/jaywalk. Installation of RRFB crosswalks in these areas would alleviate pedestrian stress and increase both pedestrian and driver safety.

In order to advance this project, the City of Tualatin is requesting \$300,000 of Community Development Block Funds for Public Facilities and Infrastructure, which would be available during the 2026-2027 fiscal year. If the grant funds are awarded, they will be used to construct this project.

OUTCOMES OF DECISION:

A copy of a Council approved resolution authorizing an application for Community Development Block Grant funds must be submitted with the application. If approved, staff will submit an application for CDBG funds for this project.

FINANCIAL IMPLICATIONS:

If funded, the City Manager will authorize and accept the funds and the project will move forward. The City may be required to budget for matching funds, which will go through the traditional budgeting process.

ATTACHMENTS:

- **Resolution No. 5923-25** A Resolution Authorizing the City Manager to Apply for and Accept Community Development Block Grant Funds to Install Flashing Beacons for Pedestrian Safety
- CDBG RRFB Proposed Locations

RESOLUTION NO. 5923-25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO INSTALL FLASHING BEACONS FOR PEDESTRIAN SAFETY

WHEREAS, Washington County is accepting proposals for the Community Development Block Grant Program (CDBG); and

WHEREAS, the City of Tualatin desires to participate in this funding program to install Rectangular Rapid Flashing Beacon crosswalks for pedestrian safety enhancements; and

WHEREAS, more than half of the residents in the adjacent census block areas are considered low/moderate income; and

WHEREAS, this project will improve pedestrian safety and access to grocery stores, transit, and medical services to low/ moderate income residents in these areas; and

WHEREAS, receiving the CDBG funds would provide funding for project development and construction of two Rectangular Rapid Flashing Beacon crosswalks;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON that:

Section 1. The City Manager is authorized to apply for, and if awarded, accept CDBG Grant funding from Washington County for project development of the Flashing Beacons for Pedestrian Safety Project.

Section 2. The City Manager is authorized to execute any and all documents related to the grant application and to effectuate the award.

Section 3. This Resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 27th day of October, 2025.

CITY OF TUALATIN OREGON

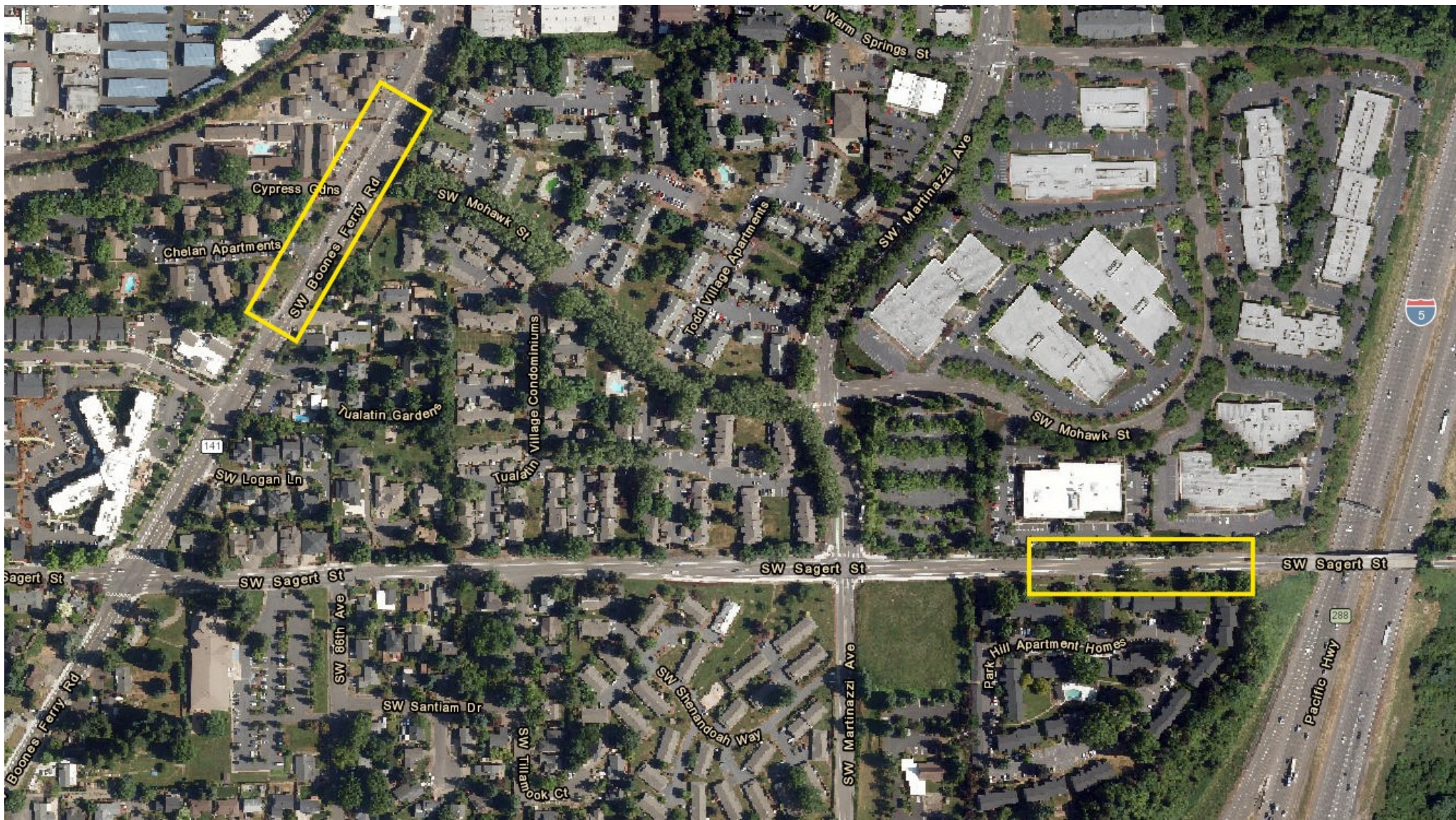
BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder



Proposed locations for two Rectangular Rapid Flashing Beacon Crosswalks shown in yellow boxes. Exact locations within these areas would be determined during engineering design.



CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Dustin Schull, Parks and Recreation Director
Kira Hein, Project Manager

DATE: October 27th, 2025

SUBJECT:

Consideration of **Resolution No. 5925-25** Authorizing the Purchase and Replacement of Tualatin Community Park Playground Equipment and Surface through an Interstate Cooperative Procurement Program.

RECOMMENDATION:

Staff recommends approval of Resolution No. 5925-25

EXECUTIVE SUMMARY:

Tualatin Community Park playground replacement equipment was recommended by the Parks Advisory Committee and selected by over 400 community members through public engagement. This project includes a total playground and surface replacement under the terms and conditions of a Cooperative Procurement Agreement with the National Purchasing Partners Government (NPPGov) through a Master Price Agreement with the League of Oregon Cities, with the purchase to be made from Buell Recreation Equipment.

OUTCOMES OF DECISION:

Safe and accessible updated playground equipment and surface.

Achieves Council Vision and Priorities that include:

- Inclusive Community that promotes equity, diversity and access.
- Safe, vibrant and accessible Gathering Places.
- Safe, desirable, welcoming, and sustainable Neighborhoods.

FINANCIAL IMPLICATIONS:

The project funds are budgeted in the park utility funds. The cost for Tualatin Community playground equipment and surface replacement is \$681,118.15

ATTACHMENTS:

Resolution No. 5925-25

RESOLUTION NO. 5925-25

A RESOLUTION AUTHORIZING THE PURCHASE AND REPLACEMENT OF
TUALATIN COMMUNITY PARK PLAYGROUND EQUIPMENT AND SURFACE
THROUGH AN INTERSTATE COOPERATIVE PROCUREMENT PROGRAM

WHEREAS, the City is a member of National Purchasing Partners Government (NPPGov) cooperative purchasing program;

WHEREAS, the City intends to upgrade Tualatin Community Park by purchasing new play equipment and surfacing, including related installation services;

WHEREAS, the League of Oregon Cities, through NPPGov, conducted an interstate cooperative procurement for these goods and services that was advertised in Oregon, and the solicitation and resulting master price agreement authorize NPPGov members agencies, including the City, to purchase under that agreement pursuant to ORS 279A.220;

WHEREAS, the procurement complied with the City's and State's public contracting requirements; and

WHEREAS, the City wishes to award the contract through a cooperative procurement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City authorizes a contract award to Buell Recreation Equipment, Inc. for the purchase and replacement of playground equipment at Tualatin Community Park for \$681,118.15, under the terms and conditions of the Cooperative Procurement Agreement with NPPGov through a Master Price Agreement with League of Oregon Cities.

Section 2. The City Manager is authorized to execute any and all documents necessary to effectuate the procurement.

Section 3. The City Manager is authorized to execute change orders, in the amount of up to 10% of the total contract price, without the need for Council approval.

Section 4. This resolution is effective upon adoption.

Adopted by the City Council this 27th day of October 2025.

APPROVED AS TO FORM

BY _____
City Attorney

CITY OF TUALATIN, OREGON

BY _____
Mayor

ATTEST:

BY _____
City Recorder



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Samantha Vandagriff, Building Official

DATE: October 27th, 2025

SUBJECT:

Consideration of **Ordinance No. 1453-25** to adopt the most current codes as referenced in the applicable Oregon Administrative Rule.

RECOMMENDATION:

Staff recommends that the City Council approve this Ordinance in order to remain in compliance with the Memorandum of Agreement between the State of Oregon Building Codes Division and the City of Tualatin.

EXECUTIVE SUMMARY:

The Department of Consumer and Business Services, Building Codes Division, adopts model building codes, standards and other publications by reference, as necessary, through administrative rule to create the state building codes. These codes are derived from the most appropriate version of International Model Codes, which are updated periodically. As part of the Memorandum of Agreement with The State Building Codes Division under ORS 455.030, municipalities that have been delegated to provide a Building Inspection Program shall administer and enforce the current building codes adopted by the state.

The proposed amendment will remove specific edition dates from TMC 4-1-010 so that the City can remain in compliance with the most current edition of each specialty code without amending the Tualatin Municipal Code each time a new edition is adopted by the State. This proposed amendment will also add building demolition as an activity that requires a permit to section TMC 4-1-010 (3) and (4).

OUTCOMES OF DECISION:

Council adopts the most current code editions in effect in the State of Oregon.

ALTERNATIVES TO RECOMMENDATION:

Council declines to adopt the most current code editions in effect in the State of Oregon. Tualatin then becomes in violation of the Memorandum of Agreement with The State Building Codes Division under ORS 455.030.

ATTACHMENTS:

- **Ordinance 1453-25**

ORDINANCE NO. 1453-25

AN ORDINANCE AMENDING CHAPTER 4-01- BUILDING CODES, OF THE TUALATIN MUNICIPAL CODE TO ADOPT STATE OF OREGON BUILDING CODES BY REFERENCE

WHEREAS, the City serves as the local administrator for the State Building Codes and administers a municipal building inspection program consistent with state law, which includes the Oregon Structural Specialty Code, Oregon Mechanical Specialty Code, Oregon Plumbing Specialty Code, Manufactured Dwelling and Parks Specialty Code, Recreational Parks and Organizational Camps Administrative Rules, Oregon Manufactured Dwelling Installation Specialty Code, Oregon Residential Specialty Code, Oregon Energy Efficiency Specialty Code, and Oregon Fire Code; and

WHEREAS, the City Council has previously adopted these codes by reference to specific editions in Title 4, Chapter 4-01 of the Tualatin Municipal Code; and

WHEREAS, the State of Oregon Department of Consumer and Business Services Building Codes Division regularly updates these codes and refers to the most current edition in the Oregon Administrative Rules; and

WHEREAS, ORS 455.040 mandates that the City apply the state's adopted version of the building codes, and referencing the current edition of each building code in City Code is redundant and state statute does not allow the City to delay adoption or adopt a different edition; and

WHEREAS, the City wishes to administer the most current codes as adopted by the State Building Codes into Tualatin Municipal Code Chapter 4-01; and

WHEREAS, the process to amend the Tualatin Municipal Code is time consuming, and the City will save staff and Council time by amending Chapter 4-01 of the Tualatin Municipal Code to reference the state administrative rules that do not identify the specific editions and effective dates for each building code; and

WHEREAS, Exhibit A of this ordinance lists the entire Chapter 4-01 Building Codes with the proposed changes and Exhibit B of this ordinance identifies the proposed changes in a redlined version.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TMC 4-1-010 is hereby amended to read in its entirety as set forth in Exhibit A, attached hereto.

Section 2. All other provisions and subsections of TMC 4-1 shall remain unchanged and in full force and effect.

Section 3. This Ordinance shall take effect on the thirtieth day after its enactment.

ADOPTED by the City Council this ____ day of October, 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

Exhibit A

TMC 4-1-010 - Standards Applicable to Building.

- (1) The City adopts the following specialty codes, rules, and standards:
 - (a) The Oregon Structural Specialty Code adopted by the State in OAR 918-460-0010 and 918-460-0015;
 - (b) The Oregon Mechanical Specialty Code adopted by the State in OAR 918-440-0010 and 918-440-0012;
 - (c) The Oregon Plumbing Specialty Code adopted by the State in OAR 918-750-0110 and 918-750-0115;
 - (d) The Manufactured Dwelling and Parks Specialty Code adopted by the State in OAR 918-600-0010;
 - (e) The Recreational Parks and Organizational Camps Administrative Rules, adopted in OAR 918-650-0000 to 918-650-0080;
 - (f) The Oregon Manufactured Dwelling Installation Specialty Code adopted by the State in OAR 918-500-510 to 918-500-590;
 - (g) The Oregon Residential Specialty Code adopted by the State in OAR 918-480-0005 and OAR 918-480-0010;
 - (h) The Oregon Energy Efficiency Specialty Code adopted by the State in OAR 918-460-0500; and
 - (i) The Oregon Fire Code adopted by the State in OAR 837-040-0010.
- (2) The provisions in subsection (1) apply to all building and related activities conducted within the City and are in addition to all other applicable provisions of the Tualatin Municipal Code and the Tualatin Development Code.
- (3) In accordance with Section 101.2.1 of the Oregon Structural Specialty Code, the City has elected to require permits for the following and the construction standards of the Oregon Structural Specialty Code, as administered by the City, shall apply:
 - (a) Fences, other than required swimming pool barriers, over seven feet in height.
 - (b) Retaining walls greater than four feet in height, measured from the bottom of the footing to the top of the wall, or where the retaining wall supports a nonsoil surcharge.
 - (c) Tanks that are located exterior to and not attached to or supported by a regulated building.
 - (d) Cellular phone, radio, television and other telecommunication and broadcast towers that are not attached to or supported by a regulated building.

- (e) Flagpoles not attached to or supported by a regulated building and are over 25 feet in height.
 - (f) Ground-mounted photovoltaic systems over ten feet in height measured to the highest point of the installation or where public access is permitted beneath the structure.
 - (g) Signs not located in a public right-of-way and not attached to or supported by a regulated building. The city adopts Appendix H of the Oregon Structural Specialty Code with regard to said signs.
 - (h) In-ground swimming pools accessory to not more than four dwelling units.
 - (i) Demolition
- (4) In accordance with Section R101.2.2 of the Oregon Residential Specialty Code, the City has elected to require permits for the following and the construction standards of the Oregon Residential Specialty Code, as administered by the City, shall apply:
- (a) Fences, other than required swimming pool barriers, over seven feet in height.
 - (b) Retaining walls greater than four feet in height, measured from the bottom of the footing to the top of the wall, or where the retaining wall supports a nonsoil surcharge.
 - (c) Tanks that are located exterior to and not attached to or supported by a regulated building.
 - (d) Freestanding radio, television, and other telecommunication antennae and towers, not attached to or supported by a regulated building.
 - (e) Ground-mounted photovoltaic systems over ten feet in height measured to the highest point of the installation or where public access is permitted beneath the structure.
 - (f) In-ground swimming pools accessory to detached one- and two-family dwellings and individual townhouse dwelling units.
 - (g) Demolition

Exhibit B

Redline version of proposed changes ~~red-strike-through~~ words are proposed to be removed and **bolded** words are proposed to be added:

TMC 4-1-010 Standards Applicable to Building

- (1) The City adopts the following specialty codes, rules, and standards which shall be enforced as part of this code:
 - (a) The Oregon Structural Specialty Code, ~~2022 edition~~, as adopted by the State in OAR 918-460-0010 and 918-460-0015 ~~(2022)~~;
 - (b) The Oregon Mechanical Specialty Code, ~~2022 edition~~, adopted by the State in OAR 918-440-0010 and 918-440-0012 ~~(2023)~~;
 - (c) The Oregon Plumbing Specialty Code, ~~2023 edition~~, adopted by the State in OAR 918-750-0110 and 918-750-0115; ~~(2023)~~;
 - (d) The Manufactured Dwelling and Parks Specialty Code, ~~2002 edition~~, adopted by the State in OAR 918-600-0010; ~~(2002), including the April 1, 2005 amendments;~~
 - (e) The Recreational Parks and Organizational Camps Administrative Rules, adopted in OAR 918-650-0000 to 918-650-0080; ~~(2020)~~;
 - (f) The Oregon Manufactured Dwelling Installation Specialty Code, ~~2010 edition~~, adopted by the State in OAR 918-500-510 to 918-500-590; ~~(2010)~~;
 - (g) The Oregon Residential Specialty Code, ~~2023 edition~~, adopted by the State in OAR 918-480-0005 and OAR 918-480-0010; ~~(2023)~~;
 - (h) The Oregon Energy Efficiency Specialty Code, ~~2021 edition~~, adopted by the State in OAR 918-460-0500 ~~(2021)~~; and
 - (i) The Oregon Fire Code, ~~2022 edition~~, adopted by the State in OAR 837-040-0010. ~~(2022)~~.
- (2) The provisions in subsection (1) apply to all building and related activities conducted within the City and are in addition to all other applicable provisions of the Tualatin Municipal Code and the Tualatin Development Code.
- (3) In accordance with Section 101.2.1 of the Oregon Structural Specialty Code, the city has elected to require permits for the following and the construction standards of the Oregon Structural Specialty Code, as administered by the city, shall apply:
 - (a) Fences, other than required swimming pool barriers, over seven feet in height.
 - (b) Retaining walls greater than four feet in height, measured from the bottom of the footing to the top of the wall, or where the retaining wall supports a nonsoil surcharge.

- (c) Tanks that are located exterior to and not attached to or supported by a regulated building.
- (d) Cellular phone, radio, television and other telecommunication and broadcast towers that are not attached to or supported by a regulated building.
- (e) Flagpoles not attached to or supported by a regulated building and are over 25 feet in height.
- (f) Ground-mounted photovoltaic systems over ten feet in height measured to the highest point of the installation or where public access is permitted beneath the structure.
- (g) Signs not located in a public right-of-way and not attached to or supported by a regulated building. The city adopts Appendix H of the Oregon Structural Specialty Code with regard to said signs.
- (h) In-ground swimming pools accessory to not more than four dwelling units.

(i) Demolition

- (4) In accordance with Section R101.2.2 of the Oregon Residential Specialty Code, the City has elected to require permits for the following and the construction standards of the Oregon Residential Specialty Code, as administered by the City, shall apply:
 - (a) Fences, other than required swimming pool barriers, over seven feet in height.
 - (b) Retaining walls greater than four feet in height, measured from the bottom of the footing to the top of the wall, or where the retaining wall supports a nonsoil surcharge.
 - (c) Tanks that are located exterior to and not attached to or supported by a regulated building.
 - (d) Freestanding radio, television, and other telecommunication antennae and towers, not attached to or supported by a regulated building.
 - (e) Ground-mounted photovoltaic systems over ten feet in height measured to the highest point of the installation or where public access is permitted beneath the structure.
 - (f) In-ground swimming pools accessory to detached one- and two-family dwellings and individual townhouse dwelling units.

(g) Demolition

(Ord. 509-80 §1, 5-12-80; Ord. 801-90, 3-26-90; Ord. 886-93 §1, 2-22-93; Ord. 897-93 §1, 5-24-93; Ord. 980-97 §1, 7-14-97; Ord. 1011-98 §1, 12-14-98; Ord. 1056-00 §1, 9-11-00; Ord. 1132-03, 3-10-03; Ord. 1121-02, 10-28-02; Ord. 1178-05, 1-24-05; Ord. 1235-07 §1, 4-9-07; Ord. 1249-07, 11-26-07; Ord. 1254-08 §1, 3-24-08; Ord. 1303-10 §1, 6-14-10; Ord. 1312-10 §1, 11-22-10; Ord. 1383-15, 07-27-2015; Ord. 1407-18, 01-22-2018; Ord. 1429-19 , §1, 12-9-19; Ord. 1457-21 , §1, 8-9-21; Ord. No. 1481-23 , § 2(Exh. A), 9-25-23)



CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Kevin R. McConnell, City Attorney

DATE: October 27, 2025

SUBJECT:

Consideration of Resolution No. 5924-25, a Resolution Adopting the City of Tualatin Food, Beverage and Apparel Policy for Elected and Appointed City Public Officials.

RECOMMENDATION:

Staff recommends Council adopt the Resolution.

EXECUTIVE SUMMARY:

The Oregon Government Ethics Commission's (OGE) May 9, 2025 Commission Advisory Opinion No 25-126A ("the Opinion") prohibits members of Council and City-appointed Board and Committee members from accepting food and beverage at their meetings. Per the Opinion, members of Council and appointed public officials may only accept food and beverage at their meetings if the City has adopted a formal policy or contract (*e.g.*, ordinance, resolution, CBA, personnel rule) providing for that type of compensation (an "official compensation package"). Because the City has not done so, a member of Council or board/committee member that accepted food and beverage at a City public meeting may violate ORS 244.040(1)- Prohibited Use of Office.

The Opinion has farther reach than just meals provided to City elected and appointed officials at public meetings and extends to all instances where the City provides food and beverage (or anything else of economic value) to its elected and appointed public officials.

In lieu of adding the provision of food, beverage and other items to their official compensation packages, members of Council and board/committee members may also lawfully accept these items if a City policy authorizes such expenditures without expressly deeming them a part of an "official compensation package" (*i.e.*, budget guidance).

This Food, Beverage and Apparel policy establishes guidelines to the City Manager concerning when City funds may be used to provide food, beverage, apparel and like items to members of Council and City-elected Board/Committee members. The Policy is intended to complement the Council's Financial Policies Manual and works to ensure compliance with applicable state ethics laws, rules and opinions.

ATTACHMENTS:

- Resolution No. 5924-25
- Food, Beverage and Apparel policy

RESOLUTION NO. 5924-25

A RESOLUTION ADOPTING THE CITY OF TUALATIN FOOD, BEVERAGE AND APPAREL POLICY FOR ELECTED AND APPOINTED CITY PUBLIC OFFICIALS

WHEREAS, In 2017, the City Council adopted the City of Tualatin Financial Policies Manual ("Manual"); and

WHEREAS, on December 9, 2024, the City Council adopted Resolution 5823-24, a resolution adopting the updated Manual, which incorporated changes made to the nine (9) financial policies contained in the Manual; and

WHEREAS, the financial policies contained in the Manual are used as a guideline for operational decision making and maintaining a fiscally prudent budget while carrying out the needs and wants of the City of Tualatin and its residents, as well as establishing parameters in which the City operates while providing a standard against which its fiscal performance can be judged; and

WHEREAS, the Manual's Operating Budget Policy: i) requires the City to prepare, present, adopt and amend its operating budget in accordance with Oregon Local Budget Law and maintain a budget system to monitor revenue and expenditures on an ongoing basis with adjustments made as necessary and ii) requires that the amount of funding available will be determined for each fund; and

WHEREAS, the Manual's Expenditure Policy provides that: i) expenditures will be controlled through appropriate internal controls and procedures, and requires Management to ensure expenditures comply with the legally adopted budget; and ii) each Department or Division Manager or Director is responsible for the administration of their department/program budget; and

WHEREAS, members of Council routinely hold public meetings and attend events through meal hours, and the City has historically provided food and beverage to members of Council in consideration of their participation in these meetings and events; and

WHEREAS, members of Council routinely participate in other City and regional events where they are identifiable as members and representatives of the City government; and

WHEREAS, community members appointed to City Boards and Committees routinely hold public meetings through mealtimes and attend community events in their official capacity; and

WHEREAS, the City Council finds that the adoption of the attached City of Tualatin Food, Beverage and Apparel Policy is in the best interests of the City, consistent with the Financial policies and goals contained in the Manual and necessary to ensure compliance with applicable state laws, rules and opinions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The attached City of Tualatin Food and Beverage Policy for Elected and Appointed City Public Officials is hereby adopted to: i) clarify when food, beverage and apparel may be provided to members of Council and City-elected boards and commissions and paid for with City funds and ii) ensure compliance with the City’s Financial Policies Manual and applicable State ethics laws, rules and opinions.

Section 2. This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council this 27th day of October, 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

Policy XX-2025

CITY OF TUALATIN FOOD, BEVERAGE AND APPAREL POLICY FOR ELECTED AND APPOINTED CITY PUBLIC OFFICIALS

Purpose and Applicability

This policy provides guidelines to the City Manager concerning when food, beverage and apparel may be provided to members of Council and City-elected Board/Committee members and paid for with City funds. This policy is applicable to the provision of non-travel food and beverage (Council Rule 12E- Travel Policy is applicable to member of Council travel expenses).

The City Manager is responsible for ensuring that expenditure of City funds is lawful and consistent with the policies contained in City of Tualatin Financial Policies Manual. The provision of food, beverage and apparel for members of Council and board/committee members must serve the business needs of the City.

This policy is intended to provide guidelines to assist the City Manager or their designee determine the prudence of purchasing non-travel food, beverage and apparel with City funds, which shall be reasonable and not excessive.

Authorization

The City Manager may, within their sole discretion, authorize the provision of food, beverage and apparel as detailed below.

Food and Beverage

- A. The City Manager may authorize the provision of food and beverage for members of Council and board/committee members as part of their participation at City public meetings. "Food and beverage" includes, but is not limited to, meals purchased from eateries, fruit, pastries, chips, cookies, cake, candy coffee, tea, bottled water, juice, soda, sugar, creamer and essential serving products.
- B. The City Manager may authorize the provision of food and beverage for members of Council and board/committee members as part of their participation at City-sponsored events, meetings, team building activities/sessions, and potlucks, which include, but are not limited to the following:
 - 1. Executive Team Holiday Breakfast.
 - 2. National Police Week, National Night Out, Faith and Blue Weekend and like events.
 - 3. Pumpkin Regatta, Blender Dash, Viva Tualatin, and like events.
 - 4. City training events.

5. Neighborhood fairs and networking events.
6. Council advances.

Apparel

- A. Members of Council play an important role in City government, and perform many of their official duties in public, such as making decisions at City public meetings and otherwise representing the City at community, regional, state and national events. It is in the City's interest to ensure members of Council and board/committee members are clearly identified as City leaders and present themselves in a professional manner while representing the City. To that end, the City Manager may authorize the provision of apparel that includes a City of Tualatin logo for members of Council and board/committee members.
- B. For the purposes of this policy, "apparel" shall also include water bottles, pens, paper and similar items containing a City of Tualatin logo.



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: October 27, 2025

SUBJECT:

Consideration of Ordinance 1452-25 Imposing a 0.3% Privilege Tax on Portland General Electric Company

RECOMMENDATION:

Staff recommends approval of Ordinance 1452-25.

EXECUTIVE SUMMARY:

The City Council adopted the Community Climate Action Plan on May 28, 2024, which provides a road map the City can use to achieve net zero emissions by 2050. The final plan consists of 146 actions within seven focus areas. On October 14, 2024, the City Council adopted a two-year work plan, which included the following action:

8.1.11 Identify an ongoing funding source. By identifying a consistent funding source, the City can better plan and carry out actions that have a monetary cost or rely on consultant support. This could also be used to fund the full-time employee recommended in another implementation action.

On September 22, 2025 the City Council authorized a \$.99 optional fee that will be assessed on monthly utility bills beginning in January 2026, called Pennies for Climate Action. In addition, the City Council held first and second reading of Ordinance 1452-25 which imposes a 0.3% Privilege Tax on Portland General Electric, effective January 1, 2026.

Since the vote to adopt the Ordinance was not unanimous, Council Rules require the ordinance to come back a 2nd meeting for a final vote.

FINANCIAL IMPLICATIONS:

The 0.3% privilege tax is estimated to generate approximately \$150,000 and be an increase of approximately \$.50 per month to the average PGE residential customer.

ATTACHMENTS:

- Ordinance 1452-25

ORDINANCE NO. 1452-25

AN ORDINANCE IMPOSING A PRIVILEGE TAX ON PORTLAND GENERAL ELECTRIC COMPANY FOR USE OF CITY RIGHTS-OF-WAY TO ERECT, CONSTRUCT, MAINTAIN OPERATE AN ELECTRIC LIGHT AND POWER SYSTEM WITHIN THE CITY OF TUALATIN

WHEREAS, the City Council enacted Ordinance No. 1440-20, granting a Portland General Electric Company (PGE) a non-exclusive franchise (the Franchise) to erect, construct, maintain, repair update and operate an electric light and power system within the City, and setting the franchise fee to be paid for use of City rights-of-way at 3.5% of Gross Revenue earned by PGE for providing utility service in accordance with the Franchise; and

WHEREAS, the Franchise states that Gross Revenues shall include all revenues derived by PGE within the City from PGE providing utility service, and includes, but is not limited to, the sale and use of electricity and electric service, and the use, rental or lease of utility facilities, after adjustment for the net write-off of uncollectibles; and

WHEREAS, pursuant to Ordinance No. 1440-20, Section 7(C), the City retains the right, as permitted by Oregon law, to charge a privilege tax based on a percentage of the Gross Revenue earned from PGE's customers within the City in addition to the 3.5% franchise fee as set forth in the Franchise; and

WHEREAS, the City Council deems it to be in the public interest to impose a 0.3% privilege tax upon PGE for use of City rights-of-way in accordance with the Franchise and Oregon law, which shall be in addition to the existing 3.5% franchise fee paid by PGE.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. There is hereby imposed a 0.3% per annum privilege tax to be paid by Portland General Electric Company, which shall be in addition to the existing 3.5% franchise fee, in order to reach a combined annual payment total of 3.8% per annum of the Gross Revenues earned by PGE for providing utility service in accordance with the Franchise. PGE shall remit the privilege tax to the Finance Director on or before the first (1st) day of April each year.

Section 2. This Ordinance shall be entered into the City's disposition list as set out at TMC 1-1-120 - Special Ordinances.

Section 3. Effective Date. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

INTRODUCED AND ADOPTED by the City Council this 27th day of October 2025.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder