



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