



TUALATIN CITY COUNCIL

OFFICIAL MEETING MINUTES FOR NOVEMBER 10, 2025

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

ABSENT: Councilor Bridget Brooks

Call to Order

Mayor Bubenik called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Announcements

1. Proclamation Declaring Saturday, November 29, 2025, as Small Business Saturday in the City of Tualatin

Chamber of Commerce Executive Director Anneleah Jackson shared information about the Chamber's upcoming New Business Showcase, which will kick off the holiday season and highlight local small businesses.

Councilor Gonzalez read the proclamation declaring Saturday, November 29, 2025, as Small Business Saturday in the City of Tualatin.

2. New Employee Introduction- Policy Analyst Quin Brunner

Economic Development Manager Sid Sin introduced Policy Analyst Quin Brunner. The Council welcomed him.

Public Comment

Janet Bailey addressed the Council regarding a proposed land acknowledgment. She stated she does not agree with the premise that the land belongs to Indigenous peoples and expressed concern that including a land acknowledgment at city meetings conflicts with her understanding of common law. She requested that the city not include land acknowledgments as part of public meetings.

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 Reyes, Councilor Hillier, Councilor Sacco, Councilor Gonzalez

MOTION PASSED

1. Consideration of Approval of the Work Session and Regular Meeting Minutes of October 27, 2025
2. Consideration of **Resolution No. 5926-25** to Adopt the City of Tualatin Investment Policy

Special Reports

1. Clean Water Services State of the District Presentation

Chief Utility Relations Officer Joe Gall and Interim CEO/General Manager Rick Shanley presented Clean Water Services' State of the District update. Mr. Gall stated that Clean Water Services is a wastewater and stormwater public utility serving more than 600,000 residents in urban Washington County. He noted that the agency partners with twelve cities in the county and described the different partnership levels and regional services provided. He reviewed the current five-year watershed-based NPDES permit cycle, noting they are in the 2023–2027 cycle.

Mr. Gall summarized major capital projects completed in Tualatin in 2025, including improvements to the Martinazzi Trunk Line, the Norwood Pump Stations and forcemain, the Tonquin Pump Station and forcemain, and repairs and replacement at the Durham Water Resource Recovery Facility. He stated that the Clean Water Services Board adopted the West Basin Master Plan, a 20-year regional plan outlining \$920 million in conveyance projects and \$493 million in treatment plant improvements. He noted that Tualatin is in the East Basin. The East Basin Master Plan, adopted in 2021, includes \$301 million in conveyance projects and \$101 million in treatment improvements. Mr. Gall stated that over the next five years Tualatin is expected to receive approximately \$78 million in projects, including trunk line replacements and pump station improvements.

Mr. Gall provided an update on the billing feasibility study requested by the Council. He stated that Clean Water Services has hired a consultant to review billing alternatives and will be engaging stakeholders throughout the process, with the study expected to be completed within the next year.

Mr. Gall stated that upcoming work includes updates to stormwater sections of the Design and Construction Standards and coordination with all cities and Washington County on updated operating intergovernmental agreements. He noted Clean Water Services will return in February to discuss future rate structures and proposed rate increases.

Councilor Gonzalez asked about the maintenance of water quality swales and expressed concerns regarding current maintenance practices. He also asked whether the Crystal Green fertilizer produced through Clean Water Services processes is sold or donated. Mr. Shanley stated they work with a distribution partner on fertilizer production and distribution. Mr. Gall added that maintenance responsibilities for water quality facilities vary depending on ownership and that staff can investigate specific sites if they are provided with the locations.

Council President Pratt asked for more detailed financial information related to the balance between system improvements and customer rate impacts.

Mayor Bubenik thanked Clean Water Services for their work in the community and for the update.

Public Hearings - Quasi-Judicial

1. Consideration of an Appeal or Request for Review of the Architectural Review Board (ARB) September 10, 2025, Decision to Approve, with Conditions, AR24-0002 Lam Research Corporation's TUX Development to Construct Four Buildings on 4 Lots Located at 11155-11361 SW Leveton Drive (Tax Lots: 2S122AA500 & 800, 2S122A00100, 2S122BA00100) in the Light Manufacturing Park Zone (MP)

Mayor Bubenik opened the hearing in accordance with state law.

Councilor Hillier recused herself from the hearing, stating she had previously ruled on the decision as a member of the Architectural Review Board.

Associate Planner Keith Leonard and Community Development Director Aquilla Hurd-Ravich presented the appeal for Architectural Review AR24-0002 related to the Lam Research Corporation TUX development. Planner Leonard stated that the Architectural Review Board approved the application on September 10, 2025. Appellant Brett Hamilton submitted a timely appeal on September 25, 2025. His written comments and petition were entered into the record, and additional correspondence from McKenzie, on behalf of Lam Research, was included with the staff report.

Planner Leonard provided an overview of the subject site, located at 11155 through 11361 SW Leveton Drive in the Manufacturing Park Zone (MP). He noted the site is currently occupied by Lam Research. The appeal is a Type IV-A request for review of a Type III Architectural Review decision. He reviewed the timeline noting the application was submitted on July 8, 2024, and the Architectural Review Board approved it on September 10, 2025.

Planner Leonard presented the site plan and described the improvements proposed under the TUX project, including a new office building, laboratory building, central utilities building, and storage building. The development includes one new truck delivery driveway from SW Leveton Drive, 1,012 new or replacement parking spaces, expanded landscaping and hardscaping, and a stormwater facility.

Planner Leonard reviewed the applicable approval criteria in Chapters 73A through 73G of the Tualatin Development Code (TDC). He noted that required public facilities and services are implemented through Chapters 74 and 75, and that operational noise after construction is regulated under Chapter 63.

Planner Leonard then summarized the Appellant's three categories of claims. He stated that Claim 1 alleges the land use application does not meet all applicable criteria. Under Claim 1-a, the Appellant asserts that the Citizen Involvement Organization (CIO) notice was deficient. Planner Leonard stated there is no basis for invalidating the Architectural Review Board's approval because a CIO representative participated early in the process and multiple mailed and emailed notices were sent over a period of 268 days, which provided ample opportunity for public comment. Under Claim 1-b, the Appellant asserts that the proposal violates Manufacturing Park zoning standards and the Tualatin noise ordinance. Planner Leonard stated that the alleged noise issue relates to existing operations rather than the unbuilt TUX project and therefore does not constitute grounds for reversing the Architectural Review Board decision. Under Claim 1-c, the Appellant asserts that the expanded north 108th Avenue driveway does not meet driveway approach criteria. Planner Leonard explained that connecting the north

parking lot to an existing driveway does not violate the criteria and that the claim relies on an assumption that all employees will use that driveway, which is not supported by evidence.

Planner Leonard stated that Claim 2 alleges errors made by the applicant. Under Claim 2-a, the Appellant asserts that the applicant committed to holding a second neighborhood meeting and did not do so. Planner Leonard stated that the TDC requires only one neighborhood meeting, which was held on June 5, 2024, and there is no requirement for an additional meeting. Under Claim 2-b, the Appellant asserts that the traffic impact analysis did not consider additional employee work shifts. Planner Leonard stated that the applicant used standard Institute of Transportation Engineers methodology and met all City traffic analysis guidelines. Under Claim 2-c, the Appellant asserts that traffic and noise impacts fall outside the scope of Architectural Review. Planner Leonard stated that the Transportation Impact Analysis was reviewed by the City Engineer, DKS Associates, and the Oregon Department of Transportation, and that the study met City standards and required no mitigation. Under Claim 2-d, the Appellant asserts that TDC Chapter 62 is not relevant to the Architectural Review. Planner Leonard clarified that Chapter 62, which governs the Manufacturing Park Zone, is the zoning chapter that applies to the proposal because it identifies permitted uses, limitations, and development standards such as setbacks.

Planner Leonard stated that Claim 3 alleges errors made by the city. Under Claim 3-a, the Appellant asserts that the city failed to provide the final three pages of Lam Research's noise model to the Architectural Review Board. Planner Leonard explained that the omission was the result of a technical printing error and noted that the TDC does not require a formal noise model, and therefore the issue does not constitute procedural error or grounds for reversal. Under Claim 3-b, the Appellant asserts that the city unnecessarily delayed releasing public records. Planner Leonard shared the timeline of responses and stated that public records processing is not a criterion for Architectural Review and cannot be used as a basis to reverse the Architectural Review Board decision.

Planner Leonard stated that TDC 32.310, Request for Review, governs the Council's action in this matter. Staff provided a memorandum addressing all claims raised in the appeal, as well as the additional materials submitted by both the Appellant and the Applicant. Planner Leonard stated the Council must decide whether to approve the appeal and reverse the Architectural Review Board's September 10, 2025, decision or deny the appeal and uphold the approval of AR22-0002 for the Lam Research expansion.

Applicant Presentation

McKenzie Land Use Planner Ian Sisson, Traffic Engineer Brent Ahrend, Architect Mike Rueter, Lam Research Site Master Planning Director Jennifer Otterness, and Stoel Rives Land Use Counsel Dana Krawczuk spoke on behalf of the applicant.

Ms. Otterness provided an overview of Lam Research's site master plan, explaining that the proposed TUX expansion will significantly grow the company's research and development capacity to support next-generation technology for semiconductor manufacturers. She stated the expansion is funded in part by the Oregon CHIPS Act, which is intended to strengthen and modernize the state's semiconductor manufacturing and research sector. She noted the project has received positive support from regional and state officials, given its anticipated economic benefits and alignment with statewide workforce and innovation goals. Ms. Otterness stated Lam Research is eager to begin construction and emphasized that the company has worked closely with City staff and partners throughout the planning process.

Mr. Sisson submitted additional letters of support from regional partners and provided an overview of the Type III Architectural Review application. He stated the project includes a new office building, central utilities building, storage building, expanded bulk gas yard, new parking and circulation improvements, landscaping enhancements, and a new truck-access driveway on SW Leveton Drive. He emphasized that no new access is proposed on SW Tualatin Road or SW 108th Avenue. Mr. Sisson reviewed the overall site plan, summarized the project timeline, and explained how the proposal is consistent with the City's Comprehensive Plan Goal 4.2, which supports industrial land development and business retention.

Counsel Krawczuk discussed the applicable approval criteria and clarified the scope of Architectural Review 24-0002. She explained that the criteria include mandatory approval standards, performance standards, and aspirational purpose statements. She stated the appellant's concerns fall into three areas: procedural and public participation issues, noise concerns, and traffic issues.

Ms. Krawczuk spoke about the alleged procedural and public participation issues, stating the appellant has not identified any procedural error that resulted in prejudice to the appellant's substantial rights. She noted the neighborhood meeting, notices, and opportunities for public comment exceeded requirements.

Ms. Krawczuk addressed noise concerns, explaining that noise performance standards fall outside the scope of Architectural Review. Nevertheless, she stated the applicant voluntarily addressed these concerns. She noted that neighbors submitted an acoustic survey, but it did not establish a violation of the City's noise ordinance. Ms. Krawczuk stated that Lam Research engaged an acoustical engineer who identified methodological defects in the neighbors submitted study. Lam then hired Colin Gordon Associates to conduct additional field measurements. Their analysis found that all measured locations were in compliance with noise limits, and some high-frequency noises detected in the study were attributed to crickets. Ms. Krawczuk stated that additional modeling of the proposed equipment demonstrated continued compliance upon buildout. She reiterated that noise compliance is not an approval criterion for the AR and the evidence shows that the project can feasibly comply with the applicable performance standards.

Traffic Engineer Ahrend addressed transportation-related concerns raised by the appellant. He discussed the existing access gate on SW 108th Avenue, stating that at full buildout the access is projected to serve approximately 50 peak-hour trips and will continue to operate as an internal circulation point rather than a new external access. He clarified there is no new driveway proposed on SW 108th Avenue. Mr. Ahrend stated the project is expected to add fewer than 25 peak-hour trips to SW Tualatin Road and up to 10 peak-hour trips to the Hazelbrook Road/99W intersection. He reviewed crash history and explained that the study did not identify any safety deficiencies attributable to the project. Mr. Ahrend stated that the project is expected to contribute approximately 2% of total peak-hour volume on SW Tualatin Road and noted that both the City and ODOT reviewed the Transportation Impact Analysis, found it to be in substantial conformance with Tualatin's traffic study requirements, and agreed with its conclusions. He described the applicant's proposed transportation improvements, including coordination of nearby traffic signals to improve left-turn movements from 99W to SW Tualatin Road at SW 124th Avenue and vegetation trimming to improve sight distance at site access points. Mr. Ahrend concluded that the application meets all applicable transportation criteria.

Appellant Presentation

Appellant Brett Hamilton and his attorney, Andrew Mulkey, addressed the Council. Mr. Hamilton stated he wished to focus his appeal on four primary traffic-related issues. He stated that the most important number in the applicant's traffic study is the number of new site trips generated by the expansion, emphasizing his belief that the proposal is dangerous and unnecessary. Mr. Hamilton argued that Lam Research has not demonstrated why an additional access point is needed. He stated his concern that the access will encourage cut-through traffic through the neighborhood and create adverse impacts during peak travel times. He asserted that the intersection is already unsafe and that adding what he estimated as, 200 more cars per day, will worsen existing problems. Mr. Hamilton discussed crash data and stated that traffic volume and safety must be considered together, noting his belief that increased volumes will lead to more collisions because the turning movement onto SW Tualatin Road is already problematic. He stated that SW 108th Avenue is a bad place to access Tualatin Road and urged the Council to impose an access restriction as part of the decision.

Attorney Mulkey addressed the noise concerns raised in the appeal and responded to the applicant's testimony. He stated that now, during the Architectural Review process, is the appropriate time for the City to consider whether the project can meet applicable noise standards. He expressed concern with the applicant's noise analysis, noting that the sound measurements were taken at approximately five feet above ground level, which he argued does not represent the noise impacts experienced by residents whose homes are elevated or located at roof height. He stated the appellant submitted a noise complaint documenting disturbance from "humming, pulsing, and hissing" sounds originating from the existing facility. Mr. Mulkey stated that the burden is on the applicant to demonstrate that the proposed development can meet noise performance standards and that, in his view, the materials submitted do not provide that guarantee. He stated the appellant is simply asking for reasonable application of the City's noise criteria and argued that the code provisions make noise performance standards relevant to review of the application. Mr. Mulkey stated that the applicant has not shown compliance and therefore has not met the criteria.

Mr. Mulkey also addressed additional traffic concerns raised in the appeal. He stated that the transportation impacts associated with the proposed expansion were not adequately analyzed, particularly regarding safety and the cumulative effects on the surrounding roadway network. He stated that the applicant's Traffic Impact Analysis failed to account for the increased likelihood of cut-through traffic. Mr. Mulkey stated that the study understated the true number of peak-hour trips that would use the SW 108th Avenue access and did not sufficiently examine how those movements would interact with existing turning conflicts on SW Tualatin Road. Mr. Mulkey stated that the transportation study did not fully evaluate how the distribution of new site trips would impact the Hazelbrook/99W intersection, nor did it consider how increased traffic volumes could affect driver behavior and neighborhood safety. He reiterated the appellant's position that the access on SW 108th Avenue is unsafe and unnecessary and that an access restriction should be imposed to prevent increased risk of accidents and cut-through activity.

Mr. Mulkey stated additional concerns regarding both the noise and traffic conditions, stating that the approval as recommended does not provide nearby residents an adequate opportunity to safeguards. He stated the conditions of approval, as drafted, do not address the operational impacts that will occur once the facility is constructed and fully functioning. Mr. Mulkey stated that the appellants requested conditions related specifically to restricting access on SW 108th Avenue and requiring further noise evaluation are within the scope of the Tualatin Development Code and are reasonable measures to ensure compliance with applicable performance standards. He stated that the Council has the authority to require and impose the conditions

proposed by the appellant and urged the Council to do so to protect the surrounding neighborhood.

Public Comment

Tualatin Chamber of Commerce CEO Anneleah Jackson spoke in support of the LAM Research expansion. She stated that LAM is the largest employer in Tualatin and plays a significant role in the economic vitality of the community. She noted that LAM is deeply committed to the city beyond its financial investment, contributing to local programs, partnerships, and community initiatives.

Greater Portland Inc. CEO Monique Claiborne spoke in support of LAM, highlighting the company's long-standing commitment to the region through sustained investment, workforce development, and involvement in community programs. She stated that the expansion will reinforce the region's semiconductor ecosystem and further strengthen the local economy.

Westside Economic Alliance Executive Director Elizabeth Meyers spoke in support of the expansion and noted that the Alliance submitted detailed written testimony for the record. She referenced broader state and regional economic trends, stating that the semiconductor industry continues to be a major driver of job creation and economic growth. She added that the proposed expansion is expected to result in additional high-wage jobs and expanded business activity in Tualatin.

Maris Breason spoke in opposition to the expansion, citing concerns about increased traffic and noise impacts in the surrounding neighborhoods. She stated that the project should not be approved until these issues are fully addressed and mitigated.

Russell Street spoke in opposition, expressing concerns regarding traffic volumes associated with the expansion. He stated he would like to see the city implement traffic controls to ensure nearby neighborhoods remain safe and livable.

Bonnie Peterson spoke in opposition to the expansion. She asked the Council to consider restricting access on SW 118th Avenue as a means of mitigating traffic impacts and expressed concerns regarding noise generated by current and future operations. She stated that LAM should demonstrate clear mitigation strategies before approval is granted.

Janet Webber spoke in opposition, requesting additional information about how both traffic and noise impacts will be mitigated before the expansion moves forward.

Applicant Rebuttal

Ms. Krawczuk addressed the noise concerns raised during the hearing. She stated that noise regulations fall under the City's performance standards, not the architectural review approval criteria, and therefore are not ground to overturn the Architectural Review Board's decision. She noted that, even though noise compliance is not an approval standard, the applicant nonetheless provided a full noise analysis demonstrating that the proposed development will meet applicable standards. Ms. Krawczuk emphasized that any condition of approval imposed by the Council must be directly related to, and supported by, an applicable approval criterion under the Tualatin Development Code.

Mr. Ahrend responded to the traffic concerns. He reiterated that a comprehensive Transportation Impact Analysis was completed and reviewed by City staff, the City Engineer, and ODOT, and

all parties found the study met the City's requirements. He stated that projected traffic volumes associated with the expansion are low relative to the capacity of the roadway network and that restricting or closing the north driveway on SW 108th Ave would not meaningfully reduce overall traffic volumes or resolve the concerns raised by the citizens.

Ms. Krawczuk concluded by stating that the application satisfies all relevant approval criteria and that the procedural, noise, and traffic issues raised in the appeal do not provide a basis to reverse the Architectural Review Board's decision. She requested that the Council affirm the ARB's approval and deny the appeal.

Council Questions

Council President Pratt asked Mr. Mulkey to clarify the appellant's requested conditions, specifically the request to restrict vehicle access at the SW 108th Avenue driveway and to require a rooftop-level noise study. Mr. Mulkey stated the appellant is asking the city to require a noise analysis that measures sound at rooftop level and to require the applicant to demonstrate how rooftop noise impacts will be mitigated so that compliance with the City's enforcement standards can be assured.

Council President Pratt asked for clarification on what constitutes "objectionable noise" under the Tualatin Development Code. City Attorney Kevin McConnell stated the City agrees with the applicant's interpretation of the applicable provisions and that, based on the evidence in the record, staff believes the application meets the standards. He noted that Condition A25 is the only approval condition available under the criteria for this Architectural Review.

Council President Pratt asked how the city would determine whether the new facility complies with the noise ordinance if there are existing complaints about the current operations. Attorney McConnell stated that existing noise complaints are being investigated by the Code Enforcement Division, and the city has an established process for evaluating such complaints and ensuring due process. He added that the Architectural Review process is limited to the evidence in the record, and it is difficult to draw conclusions about the proposed development based on unresolved complaints regarding current operations.

Council President Pratt asked whether the project connects the north parking lot to lot G. Mr. Ahrend stated there is no proposed new connection from the project area to the existing parking lot, and no changes are proposed that would route additional traffic through that area.

Councilor Gonzalez asked how many noise complaints have been received. Attorney McConnell stated that some complaints predated the application and were long-standing issues. Director Hurd-Ravich added that only a handful of complaints had been filed prior to the application, but following the ARB notice of hearing, the city received approximately 80 additional complaints.

Mayor Bubenik asked Mr. Ahrend to respond to the appellant's assertions regarding trip counts. Mr. Ahrend explained that the traffic study analyzed peak-hour trips for the land use category that best reflects Lam Research's research and development operations. He noted the study validated peak-hour assumptions but did not analyze daily trip totals because they are not required for the applicable traffic standards.

Mayor Bubenik asked what circumstances would trigger installation of a new traffic signal at the SW 108th Avenue and SW Tualatin Road intersection. Mr. Ahrend discussed the relevant

factors, including collision history and volume thresholds, and explained that the intersection does not meet the criteria at this time.

Council President Pratt asked about potential signal coordination improvements at SW 124th Avenue and SW Tualatin Road. City Engineer Mike McCarthy stated Washington County is prepared to update timing at that intersection if and when traffic patterns change in response to development.

Councilor Sacco asked whether, if the Council were to approve the appeal, Lam Research would then have the ability to appeal that decision. Attorney McConnell stated that if the Council were to approve the appeal, the hearing would be continued so the applicant could address any imposed conditions. He confirmed that the applicant would then have the right to appeal the decision further.

Mayor Bubenik closed the hearing.

Council Discussion

Council President Pratt stated that she believes the neighborhood concerns raised throughout the process are valid; however, based on the evidence in the record, the traffic volumes in the area will exist regardless of the proposed project. She stated she supports the ARB's decision.

Councilor Reyes stated she understands the concerns related to traffic and noise, but she supports the ARB decision and the thorough review that was completed.

Councilor Sacco stated she must rely on the applicable criteria, expert analysis, and the evidence presented. She noted that, based on the testimony and standards in the record, the traffic impacts do not justify overturning the ARB decision, and that noise concerns are addressed separately through enforcement mechanisms outside the Architectural Review process. She stated that her decision must be based on the criteria before the Council.

Mayor Bubenik stated that the decision must be based on established criteria and not on assumptions. He stated the testimony did not show that restricting the driveway access would materially improve safety at the intersection. He also commented on the noise concerns, noting that there is a process in place to investigate and address those issues outside of this hearing. He stated that based on the applicable criteria, he will uphold the ARB decision.

Council President Pratt called for a five-minute recess.

Motion to deny the appeal and affirm ARB Decision 24-0002 dated September 10, 2025, and to direct staff to prepare an order and resolution that incorporates findings to support the Council's decision, which includes the ARB decision of findings for AR 24-0002, the supplemental staff report dated November 10, 2025, and the proponent LAM alternative findings demonstrating compliance with TDC 63-051 and TDC 74 and 75 made by Council President Pratt, Seconded by Councilor Sacco.

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

MOTION PASSED

General Business

1. Consideration of Recommendations from the Council Committee on Advisory Appointments

Councilor Reyes, Councilor Sacco, and Council President Pratt stated they held a meeting and interviewed applicants for the Planning Commission, Library Advisory Committee, and the IDEA Committee. They read the names of the recommended applicants.

Motion to adopt the recommendations as read made by Councilor Sacco, Seconded by Councilor Hillier.

Discussion on the Motion

Councilor Gonzalez asked how diverse the IDEA Committee is and expressed concerns regarding the overall diversity of its membership.

Council President Pratt stated that this concern has been discussed. She noted that the committee includes individuals of different ethnic and cultural backgrounds, abilities, ages, and economic circumstances, and she expressed confidence in the diversity represented on the committee.

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

MOTION PASSED

Council Communications

Mayor Bubenik wished everyone a happy Veterans Day.

Councilor Hillier stated she appreciated the civil discourse during the meeting and encouraged the Council to remain mindful of how they treat one another.

Adjournment

Mayor Bubenik adjourned the meeting at 10:35 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor