



ALBANY CITY COUNCIL AGENDA

Monday, August 8, 2022
4:00 p.m.

Council Chambers, City Hall
333 Broadalbin Street SW
Hybrid Format

Watch on YouTube: <https://www.youtube.com/user/cityofalbany>
Watch on Facebook: https://www.facebook.com/cityofalbany/live_videos

Please be respectful and help the meeting to proceed efficiently by refraining from applause, cheering, displaying signs, or other disruptions. Presenters and members of the public participating virtually will keep microphones muted and cameras off. If a participant disrupts the meeting, the participant's microphone and camera will be turned off. If disruption continues, the participant will be removed from the meeting.

- 4:00 p.m. Call to order and roll call
- 4:05 p.m. Business from the public
Persons wanting to provide comments may:
1- *Submit written comments and/or register to speak at www.cityofalbany.net/council/materials before **noon on the day of the meeting**; or*
2- *Appear in person at the meeting and register to speak using the sign-up sheet.*
- 4:10 p.m. Municipal Court Update – Forrest Reid [Verbal]
Information
- 4:30 p.m. Measure 110 Discussion – Marcia Harnden [Verbal]
Discussion
- 4:50 p.m. Psilocybin Ordinances – Sean Kidd [Pages 3-6]
Direction
1) Declare a ban on psilocybin manufacture and service centers ORD NO. _____ p. 3
2) Declare a two-year ban on psilocybin manufacture and service centers ORD NO. _____ p. 5
- 5:10 p.m. Business from the council
- 5:15 p.m. City manager report
- 5:20 p.m. Adjournment

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting at: cityclerk@cityofalbany.net.

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



ORDINANCE NO. _____

AN ORDINANCE DECLARING A BAN ON PSILOCYBIN MANUFACTURING AND SERVICE CENTERS WITHIN THE CITY OF ALBANY

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related license on January 2, 2023; and

WHEREAS, as of June 30, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory programs and the City of Albany is uncertain how the manufacture, delivery, and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the Albany City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries in order to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of Albany; and

WHEREAS, the City Council seeks to refer to the voters of Albany the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

SECTION 1: PROHIBITION.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Albany.

SECTION 2. REFERRAL.

This ordinance is referred to the electors of the City of Albany for approval at the next statewide general election on November 8, 2022.

SECTION 3: EFFECTIVE DATE. This ordinance takes effect 30 days after the day on which it is approved by a majority of voters.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk



ORDINANCE NO. _____

AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN MANUFACTURING AND SERVICE CENTERS WITHIN THE CITY OF ALBANY

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of June 30, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory programs, and the City of Albany is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the Albany City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of Albany; and

WHEREAS, the City Council seeks to refer to the voters of Albany the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

SECTION 1: PROHIBITION.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Albany.

SECTION 2. REFERRAL.

This ordinance is referred to the electors of the City of Albany for approval at the next statewide general election on November 8, 2022.

SECTION 3: EFFECTIVE DATE.

This ordinance takes effect 30 days after the day on which it is approved by a majority of voters.

SECTION 4: SUNSET.

This ordinance is repealed on December 31, 2024.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk