

**AGENDA
DAYTON CITY COUNCIL
REGULAR SESSION**



DATE: MONDAY, AUGUST 1, 2022
TIME: 6:30 PM
PLACE: DAYTON CITY HALL ANNEX – 408 FERRY STREET, DAYTON, OREGON
VIRTUAL: ZOOM MEETING – ORS 192.670/HB 2560

You may join the Council Meeting online via Zoom Meeting at: <https://us06web.zoom.us/j/84038983782>
or you can call in and listen via Zoom: 1 346 248-7799 or 1 720 707-2699

Dayton – Rich in History . . . Envisioning Our Future

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
	The public is strongly encouraged to relay concerns and comments to the Council in one of the following ways:	
	<ul style="list-style-type: none"> • Email - at any time up to 5 pm the day of the meeting to pringnalda@ci.dayton.or.us. The mayor will read the comments emailed to the City Recorder. • Appear in person – If you would like to speak during public comment please sign-up on the sign-in sheet located on the table when you enter the Council Chambers. • Appear by Telephone only – please sign up prior to the meeting by emailing the City Recorder at pringnalda@ci.dayton.or.us the chat function is not available when calling by phone into Zoom • Appear via Zoom, Virtually – once in the meeting send a chat directly to the City Recorder, Patty Ringnalda, use the raise hand feature in Zoom to request to speak during public comment, you must give the City Recorder your First and Last Name, Address and Contact Information (email or phone number) before you are allowed to speak. 	
	When it is your turn the Mayor will announce your name and unmute your mic.	
D.	ACTION ITEMS	
	1. Presentation of Yamhill County Sheriff’s Office Annual Report for Dayton - Sergeant Eubanks	1-11
	2. Approval of Emergency Pump Purchase and Approval to Purchase New Back- Up Pump	13-15
	3. Approval of Retirement/Return to Work Program for Dayton Employees	17-24
	4. Psilocybin (Mushroom) Discussion	25-39
E.	CITY COUNCIL COMMENTS/CONCERNS	
F.	INFORMATION REPORTS	
	1. City Manager’s Report	41-48

G. ADJOURN

Posted: July 29, 2022

By: Patty Ringnalda, City Recorder

NEXT MEETING DATES

City Council Regular Session, Tuesday, September 6, 2022

City Council Regular Session, Monday, October 3, 2022

City Council Work Session, Monday, October 17, 2022

Virtually via Zoom and in Person; City Hall Annex, 408 Ferry Street, Dayton, Oregon

CITY OF DAYTON

FY2021 – 2022 Contract for Services

Annual Report to City Council

August 1, 2022



ACTIVITY OVERVIEW



FY	Calls for Service	Cases*	Cases Ending in Arrest(s)
2020 - 2021	1230	429	147
2021 - 2022	1332	467	155

All activity and information contained in this annual report is limited to activity undertaken by YCSO within the City Limits of Dayton between July 1, 2021 and June 30, 2022. Select slides have FY21 statistics included as a comparator.

*Case count is per case number; may represent several charges/defendants

ALL CALLS FOR SERVICE BY PRIMARY RESPONDING DEPUTY



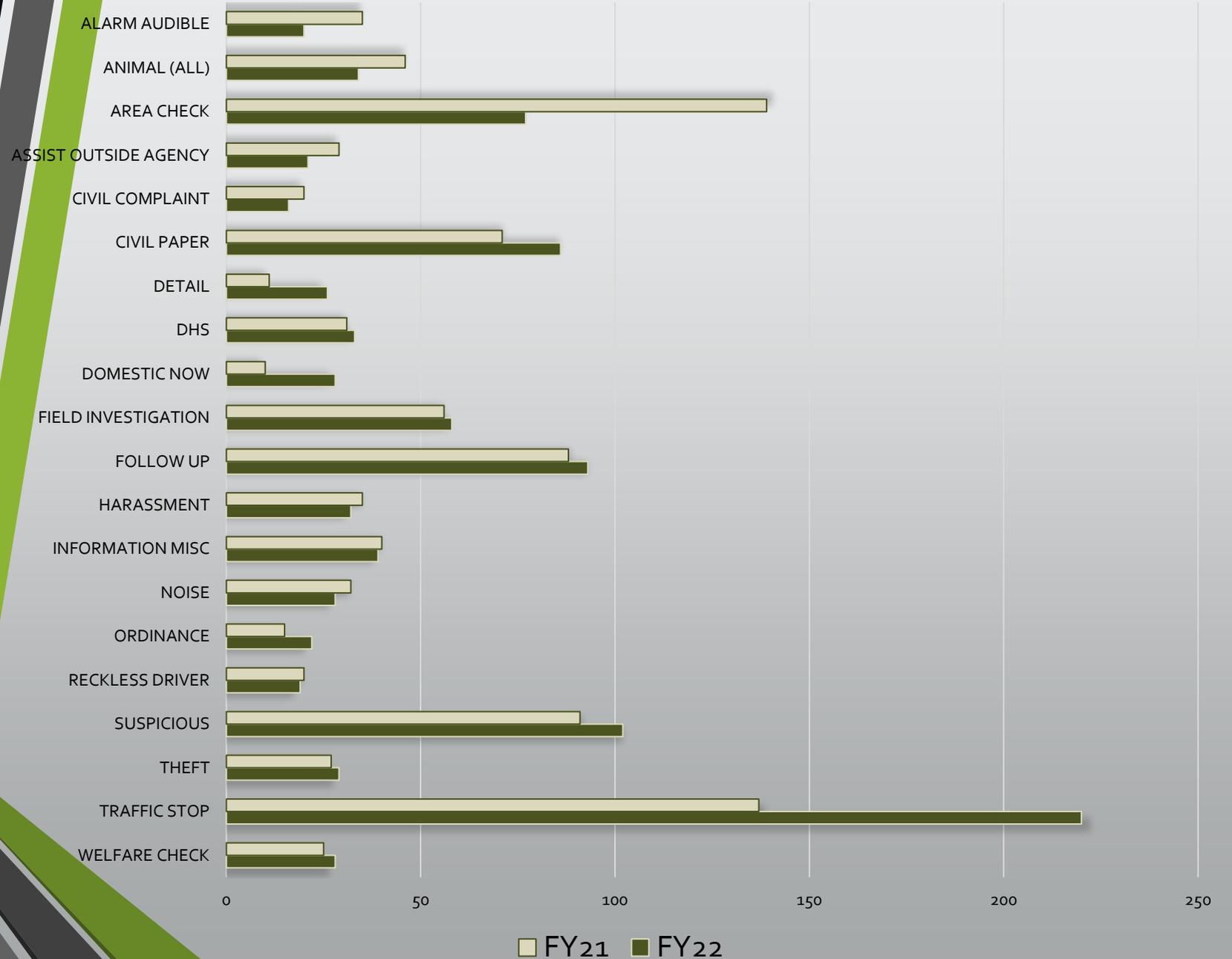
OTHER
13%

DAYTON DEPUTY
30%

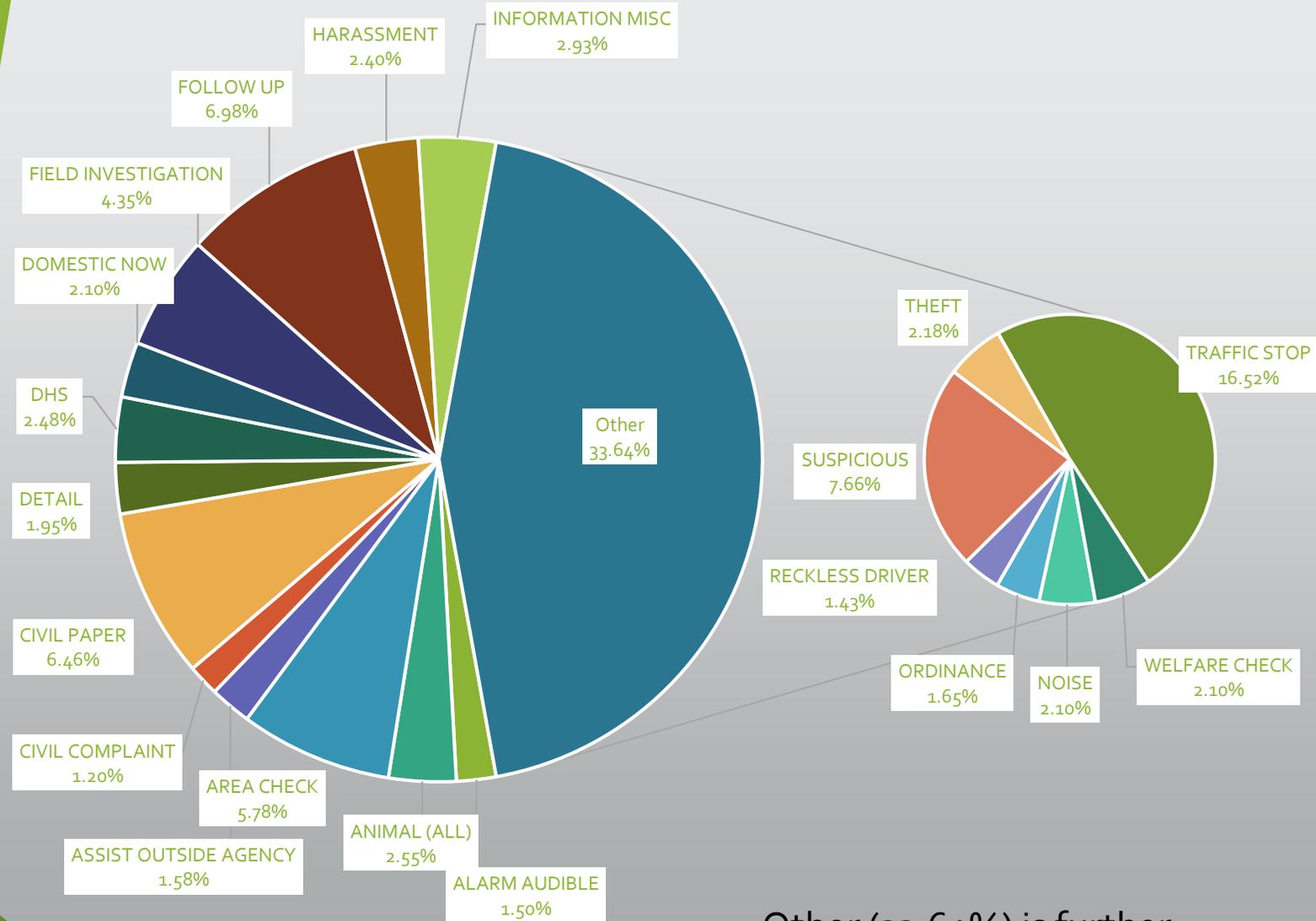
RURAL DEPUTY(S)
57%

Note: Other indicates a call did not require a deputy response (e.g., information only report, call cancelled, reassigned to another agency/department, etc.)

TOP 20 CALLS FOR SERVICE BY TYPE



TOP 20 CALLS FOR SERVICE BY TYPE AS A PERCENTAGE OF ALL CALLS

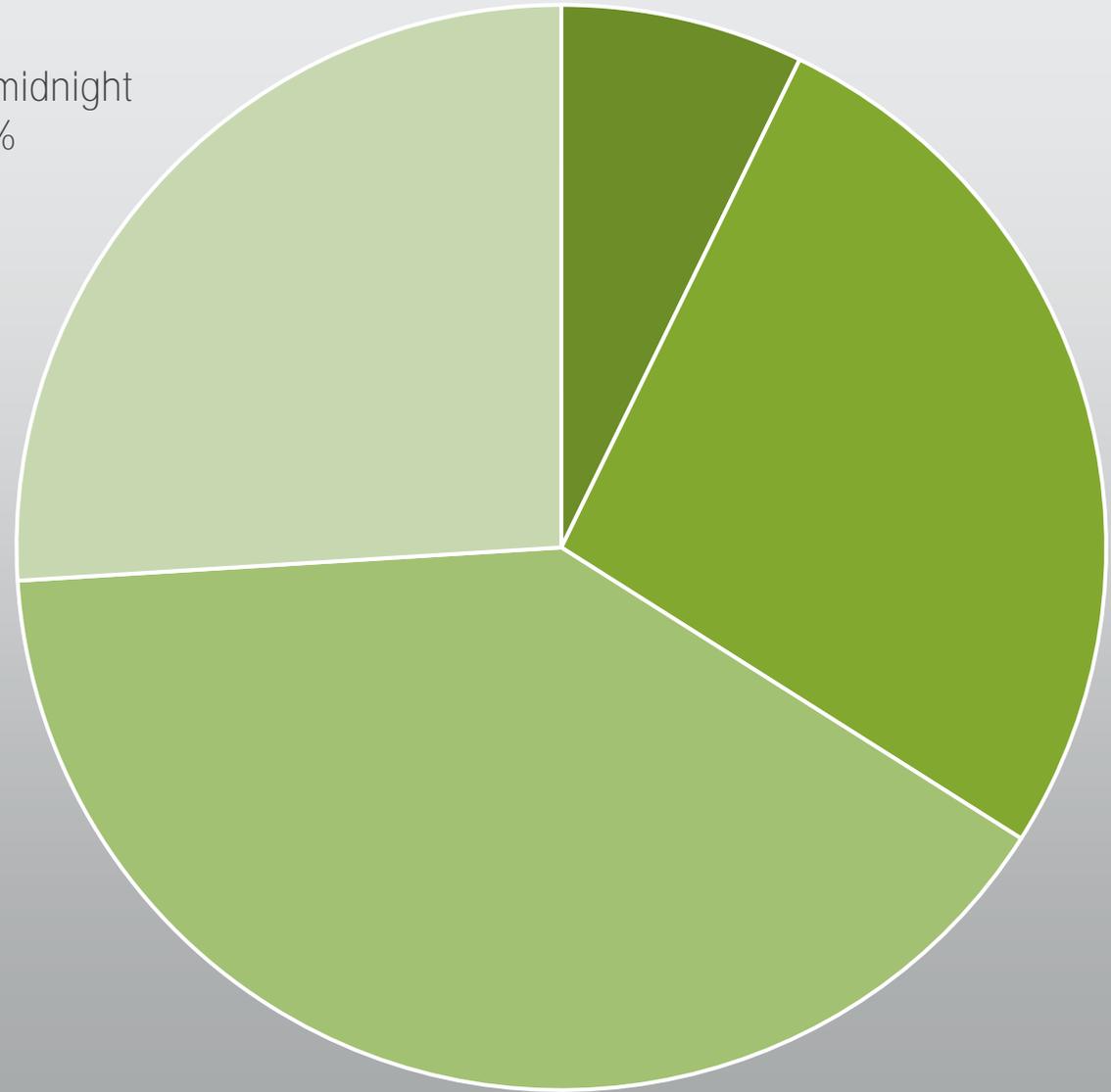


Other (33.64%) is further broken down in the smaller pie chart above.

ALL CALLS FOR SERVICE BY TIME OF DAY



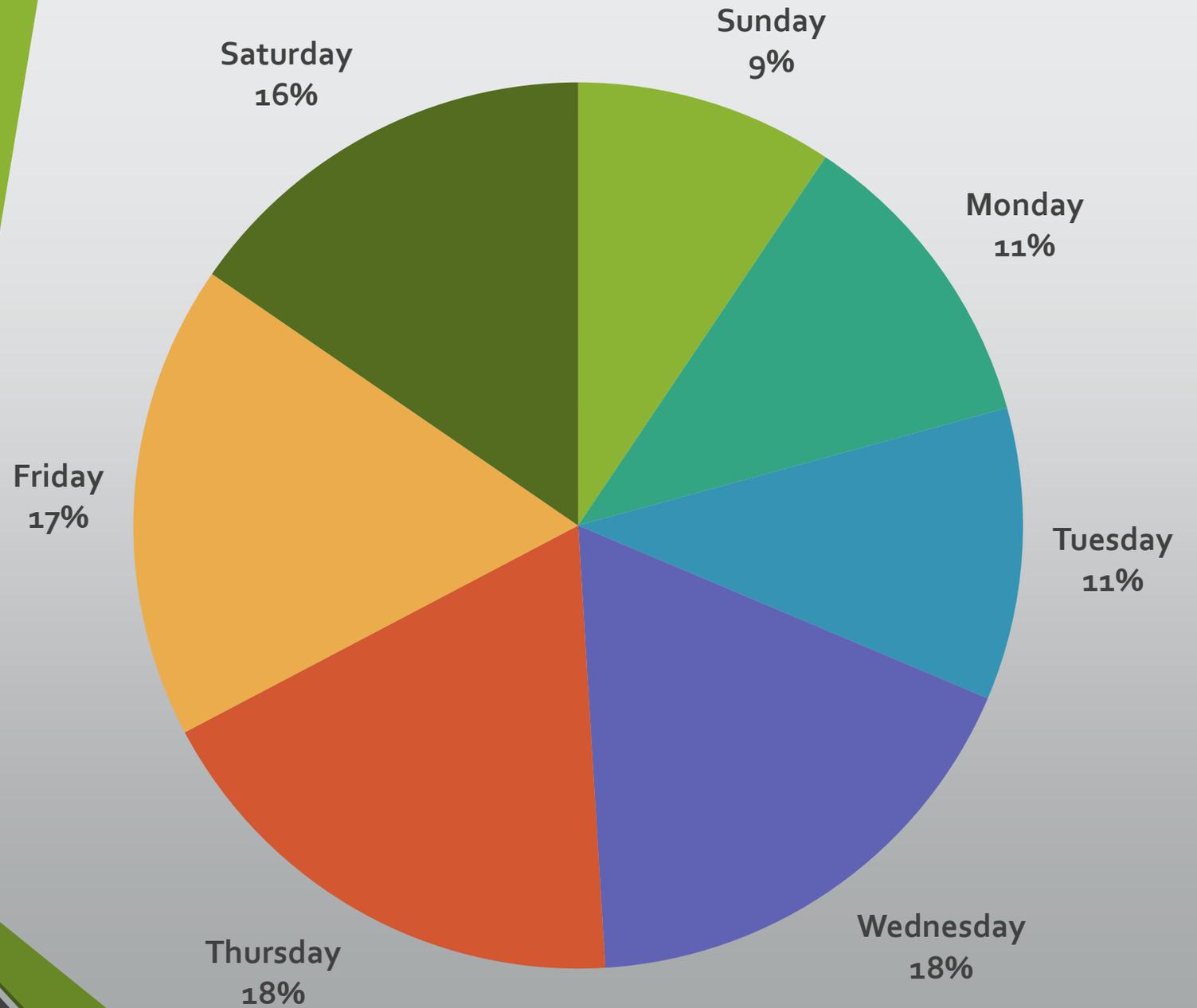
6:01 pm - midnight
26%



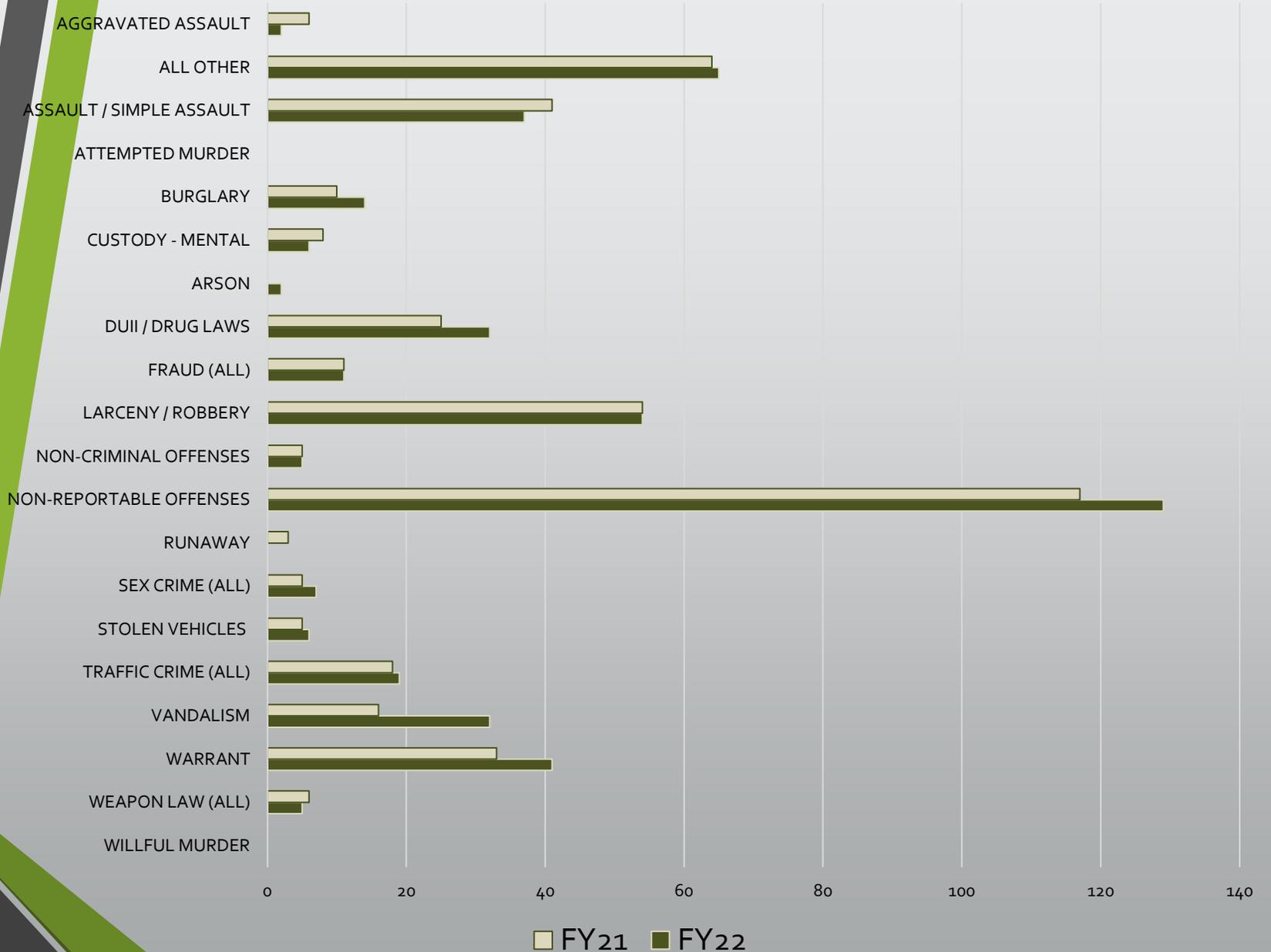
Midnight - 6:00 am
7%

6:01 am - noon
27%

ALL CALLS FOR SERVICE BY DAY OF THE WEEK



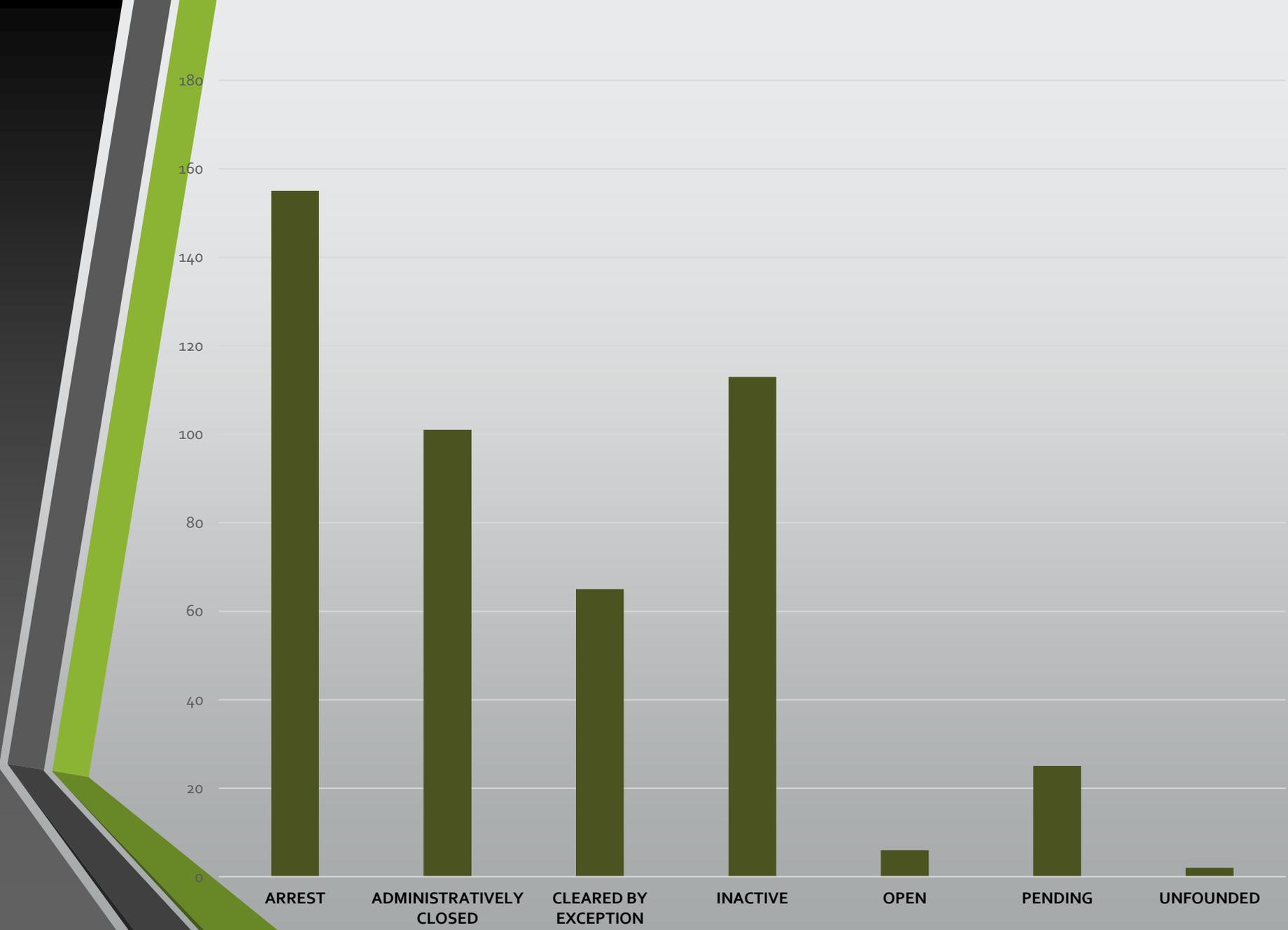
ALL CASES BY UCR TYPE



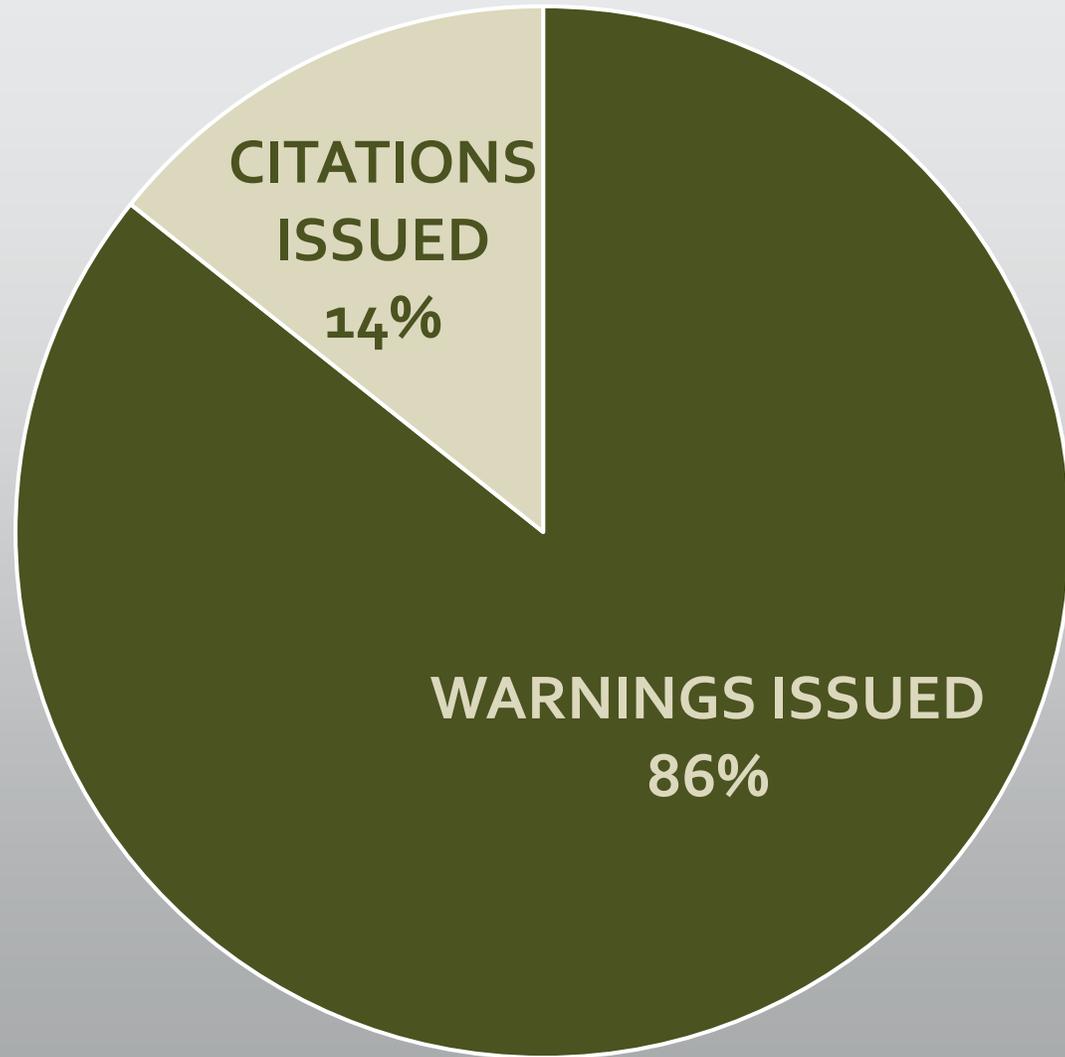
Note: Multiple UCR Types may be recorded in a single case.

CASE STATUS

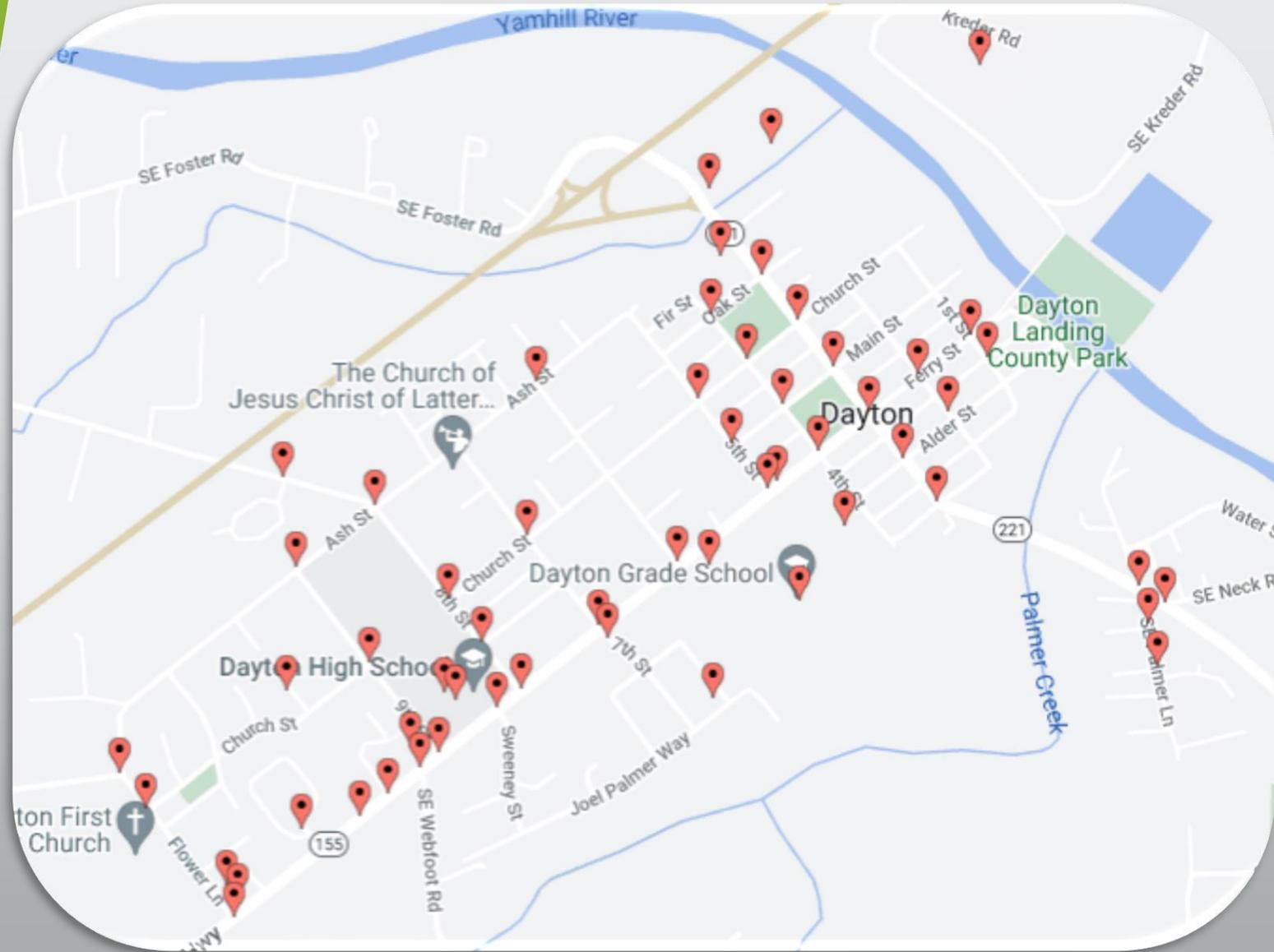
(as of 7/15/2022)



TRAFFIC STOP OUTCOMES



TRAFFIC STOPS BY LOCATION



• Marked indicates location of stop; multiple stops may have occurred at same location.

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Approval of Emergency Pump Purchase and Approval to Purchase New Backup Pump
Date: August 1, 2022

Background and Information

On June 22,2022 staff was called out for an alarm at the 9th St lift station. Upon arriving it was determined that one of the pumps had gone offline and ceased to operate. Staff called in a repair team that determined that the pump had been damaged beyond repair. A replacement pump had to be ordered to bring the station back up to full functionality. Purchase and installation of this pump cost of \$13,055. This was an emergency sole source purchase and because the pump could not be delivered before the new fiscal year it fell into the 2022/2023 budget.

Additionally, we will need to purchase a new backup pump for the 9th Steet Lift Station. There are two options.

1. Repair old pump at an estimated cost of \$10,129
2. Purchase a new pump at an estimated cost of \$13,055

Staff recommends purchasing a new pump as a backup. Our FY22-23 Sewer Capital Budget has funds to support the purchase of both pumps.

Potential Motion Language on Emergency Purchase: “I move to approve the sole source emergency purchase of a replacement pump for the 9th Street Lift Station from Xylem Water Solutions for \$13,055.”

New Backup Pump Potential Motion Language: “I move to approve the sole source purchase of a backup pump for the 9th Street lift station from Xylem Water Solutions with a cost not to exceed _____.”

Council Options:

- 1 – Approve as recommended.
- 2 – Approve with amendments.
- 3 – Take no action and direct staff to do further research or provide additional options.

Xylem Water Solutions U.S.A., Inc.

9625 SW TUALATIN-SHERWOOD
 TUALATIN, OR 97062
 Tel.(503)240-1980 Fax:(503)240-3445

REMIT TO

**26717 Network Place
 Chicago, IL 60673-1267**

865

INVOICE			YOUR PURCHASE ORDER 9LS22	
INVOICE NO. 3556C30200	FUS NO. D90624	DATE SHIPPED 6/27/22	DELIVERY NOTE H99956	
INVOICE DATE 6/27/22	TRN A3	WHS 115	PAYMENT TERMS 100% N30 FROM INVOICE	

Sold To:

Customer No. **112623**

Ship To:

Global No. **5012617**

CITY OF DAYTON

PO BOX 339

DAYTON

OR 97114-0339

CITY OF DAYTON

STEPHEN SAGMILLER 503-437-0639

416 FERRY STREET

DAYTON

OR 97114

FREIGHT TERMS Jobsite		DELIVERY TERMS PP/Add Order Positio		ORDER PROCESSED BY FLYGT-PORTLAND,OR BRANCH	
SHIP VIA FEDEX FREIGHT (FORM AM TRAN		ORDER TEXT LS#9 3127-488		CUSTOMER TEXT Adriana Livingston	
LINE	ITEM/DESCRIPTION	QUANTITY SHIPPED UM	UNIT PRICE DISCOUNT/CHARGE	NET PRICE	EXTENDED AMOUNT
001	Quote# 2022-POR-0249 0031270700023 NP488-4 10/230/3 50' FM FLS FV S/N:2210125 D/N H99956	1 EA		12,376.800	12,376.80
002	1400000699830N SHIPPING AND HANDLING-NO TAX	1 EA		678.000	678.00
	SUB-TOTAL OF POSITIONS				13,054.80
	S & H CHARGED AS LINE ITEM				
	TOTAL WEIGHT 341.000 LBS				
	NET AMOUNT BEFORE TAXES USD				13,054.80
DISPATCH INFO: 5609974473					ORDER TOTAL USD 13,054.80

700.700.910

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Approval of Retirement/Return To Work Program for Dayton Employees
Date: August 1, 2022

Background and Information

The Oregon State Legislature passed SB1049 which went into effect on January 1, 2020. Per the State of Oregon website: “SB 1049 is a comprehensive piece of legislation intended by the Oregon Legislature to address the increasing cost of funding Oregon PERS, by providing relief to public employers for escalating PERS contribution rate increases.”

In a nutshell, SB 1049 unrestricted the number of hours a PERS retired employee can work after they retire from the PERS system. This allows eligible retired employees to be rehired back and work full time and receive benefits. The City will save the 6% it pays into each employee’s PERS IAP account because the employee is now retired out of the PERS system.

I have modeled our policy after the Yamhill County Sheriff’s Office Policy. A copy of the policy and the application form is attached for your review.

The City currently has two Tier 1 PERS employees who are interested and eligible to use this program.

City Manager Recommendation: I recommend approval.

Potential Motion to Approve: “I move to approve the Retirement/Return to Work Program for the City of Dayton employees.”

Council Options:

- 1 – Approve as recommended.
- 2 – Approve with amendments.
- 3 – Take no action and direct staff to do further research or provide additional options.



City of Dayton's Retire / Return to Work Program Policy

I. PURPOSE

The purpose of this policy is to define provisions for non-represented employees who have retired from the Public Employees' Retirement System (PERS) to continue employment with the City of Dayton.

II. DEFINITIONS

City means the City of Dayton.

Early Retirement is retirement of an employee that satisfies the requirements of PERS for early retirement with reduced benefits for that employee's respective PERS classification.

Normal Retirement is retirement of an employee that satisfies the requirements of PERS for normal retirement with regular benefits for that employee's respective PERS classification.

On-Call Employees are those employees who perform work on an as-needed or sporadic basis.

PERS Retiree is a person who has completed the requirements to be vested under PERS, has met the criteria to retire through PERS, and has officially retired through PERS prior to the current date.

PERS is the Oregon Public Employees' Retirement System.

Regular Full-time Employees are those employees who are scheduled to work at least 40 hours per week.

Regular Part-time Employees are those employees who are scheduled to work less than 40 hours per week.

City Manager means the Dayton City Manager or their designee.

Seasonal Employees are those employees who have been hired to perform work for a specific period related to a specific program and position.

Temporary Employees are those employees who have been hired to perform work for a specified period of time. May be full-time or part-time.

III. POLICY

- A. A PERS Retiree who is receiving a service retirement benefit under Tier One/Tier Two or the Oregon Public Service Retirement Plan (OPSRP), or who has elected to retire without a PERS service retirement benefit, may be employed by the City of Dayton subject to the provisions outlined herein.
- B. To be eligible for rehire under this policy, retirees must, at the time of their request for rehire, not be under any discipline in the prior 12 months; not currently be on a performance

improvement plan (PIP); not currently be under investigation or subject to prosecution; and not be retiring/resigning in lieu of termination.

- C. This policy applies only to non-represented staff of the City of Dayton who meet the requirements provided above in subsections (A) and (B).
- D. The employment assignment of a PERS Retiree will be to the classification they held at retirement.
- E. City of Dayton employees who retire from PERS and return to work at Yamhill County under this Policy are not required to apply for or be hired back through a competitive process.
- F. PERS Retirees may be employed in a Regular, Temporary, On-Call, or Seasonal employment assignment. The PERS Retiree is subject to the limitations of the employment category of the new assignment as defined in the City of Dayton's Employee Handbook.
- G. Oregon statutes may impose certain restrictions on the employment of a person receiving PERS and OPSRP retirement benefits. The employee is responsible for complying with all statutory requirements. The City of Dayton is not responsible for the impact upon the retirement benefits of a PERS or OPSRP retiree resulting from their employment with the City.
- H. This Policy will sunset on January 2, 2025, or at such time as the relevant provisions of Oregon Senate Bill 1049 (2019) expire, if extended past the initial sunset date.
- I. Nothing in this Policy shall create any legal or contractual right or obligation requiring the City Manager or the City to employ any individual following their retirement from PERS and separation from pre-retirement regular employment.

IV. PROCEDURES

A. Initial Application for Reemployment

- 1. An employee is required to provide written notice of their intent to retire at least sixty (60) days prior to their last day of regular employment with the City utilizing the *Retire / Return to Work Request* form, attached hereto.
- 2. Pursuant to Senate Bill 1049, enacted in 2019 by the Oregon Legislature, an employee who retires from PERS on or after normal retirement age can continue to receive pension benefits (without accruing any new benefits) and may return to work with no statutory limitations on the number of hours worked.
- 3. When an employee retires from PERS under this policy:
 - a. the City will report the retiring employee's Sick leave balance to PERS (if eligible) and it will be reduced to zero;
 - b. the City will reduce the retiring employee's Vacation leave to zero (after any cash-outs); and
 - c. the City will not cash out any unused Floating Holidays.

4. When an employee is rehired under this Policy, on the first day of re-employment after PERS retirement, the returning employee will be granted:
 - a. 40 hours of sick leave and then will accrue sick leave hours at the rate of one (1) day for each full calendar month of continuous service.
 - b. accrual of vacation hours at the rate applicable based on the returning employee's months of continuous service prior to retirement.
 - i. Accrual rate increases during the retirement reemployment period will be applied based on the employee's continuous service count; retirement and reemployment shall not be a considered a break in service; and
 - c. the returning employee's Floating Holiday balance will be reinstated, provided it is in the same fiscal year as it was granted.
 - i. The returning employee will be granted Floating Holidays each July 1 during the reemployment period, which must be used by June 30 of the following year or forfeited. When the reemployment period ends, any unused Floating Holidays will be forfeited (not cashed-out).
5. A retiree returning to employment will receive the benefits associated with their new position or employment assignment. Medical/Dental/Vision benefits will continue at the same level as previous, provided the position is eligible for benefits and there is not a break in service that affects eligibility.
 - a. An employee may be able to request a change to their benefits, as this may qualify as a life event. Employees are highly encouraged to talk to the City Manager or CIS for all questions related to their Medical/Dental/Vision benefits.
6. When a PERS Retiree is appointed to the same position or classification as they held prior to retirement, their starting salary shall be no higher than the step in their respective salary range previously held.
7. The following provisions will apply when a PERS Retiree is appointed into a Temporary or Seasonal assignment in a different classification as held prior to retirement:
 - a. Salary shall be paid at a rate in the salary range as allowed under the City of Dayton's approved salary steps.
 - b. Employee will only be eligible for benefits that are offered to Temporary or Seasonal assignments.
 - c. 40 hours of sick leave will be reinstated provided there is not a break in service longer than 180 days.
8. PERS Retirees in employment assignments that are not eligible for health benefits may continue to exercise COBRA rights or retiree program benefits that are available to them.
9. PERS Retirees in Temporary or Seasonal employment assignments shall not be entitled to any previously held seniority or qualified pay periods available within the City of Dayton.

B. Procedure for Review / Approval

1. The City Manager shall consider the application, the employee's personnel file, and whether the employee meets the overall job requirement and if there is a public interest to re-employ the applicant due to their knowledge, skills, and abilities.
2. The City Manager shall either approve or not approve the application. The City Manager holds sole discretion over whether or not to reemploy a PERS Retiree as permitted under this Policy.
 - a. If the City Manager does not approve an application, the employee must be notified within five days of the determination.
 - b. If the City Manager does approve the application, the employee will be notified of the approval within five days of the determination and such approval shall include:
 - i. the length of reemployment; and
 - ii. the position of reemployment.
 - c. The employee has five days to accept or decline an offered re-hire position.



Retirement / Return to Work Request

Complete this form if you are eligible for full retirement in PERS and you want to retire from PERS and continue working for the City of Dayton. Please complete and submit this form to the City Manager. This form must be completed, approved, and routed 30 days before your requested last day worked with the City of Dayton.

EMPLOYEE / RETIREMENT INFORMATION:		
EMPLOYEE NAME	POSITION TITLE:	
CITY RETIREMENT DATE: <small>(EFFECTIVE END OF DAY/SHIFT)</small>	PERS RETIREMENT DATE:	RETURN DATE TO THE CITY AS A PERS RETIREE:

EMPLOYEE ACKNOWLEDGEMENT <i>(initial each acknowledgement):</i>	
	I affirm that I have ensured that I am eligible to collect PERS and work full time effective the date requested above.
	I understand this option is based on state law (SB 1049) that will sunset on January 2, 2025.
	I understand that transitioning to a PERS retiree does not change my job responsibilities or reset a performance improvement plan.
	I understand that Medical/Dental/Vision benefits will continue at the same level as previous, provided the position is eligible for benefits and there is not a break in service that affects eligibility.
	I understand that, upon PERS retirement, the City will report my Sick leave balance to PERS (if eligible) and it will be reduced to zero. I further understand that the first day of re-employment after PERS retirement, I will be granted 40 hours of sick leave and then will accrue sick leave hours at the rate of one (1) day for each full calendar month of continuous service.
	I understand that, upon PERS retirement, the City will reduce my Vacation leave to zero (after any cash-outs). I further understand that the first day of re-employment after PERS retirement, I will accrue vacation hours at the rate applicable based on my months of continuous service prior to retirement. I further understand that I will be eligible to increase accrual rates during my reemployment based on my continuous service count; retirement and reemployment shall not be a considered a break in service.
	I understand that unused Floating Holidays will be reinstated (not cashed-out), provided it is in the same fiscal year as it was granted.
	I understand that I will be granted Floating Holidays each July 1 during the reemployment period, which must be used by June 30 of the following year or forfeited. I further understand that if my reemployment period ends, any unused Floating Holidays will be forfeited (not cashed-out).
	I understand that, if my request is granted, the length of reemployment is at the discretion of the City Manager based on the needs of the City. In no instance will the reemployment period exceed 24 months from the date of return.
	I understand that this form only serves to express my desire and does not constitute a job offer, nor a guarantee that such an offer will be made.

Employee Signature _____

Date _____

Stop here and provide this form (both pages) to City Manager.

CITY MANAGER REVIEW	
I, the appointing authority, have reviewed the employee's personnel file and made the following determination based on the employee meeting the overall job requirement and it is in the public interest to re-employ the PERS Retiree because of the person's knowledge, skills, and abilities.	
	I APPROVE this employee to return to duty after retiring from PERS as requested.
	I do NOT APPROVE this employee return to work after retiring from PERS.

City Manager Signature _____ **Date** _____

REEMPLOYMENT POSITION INFORMATION:

EFFECTIVE CITY RETIREMENT DATE: <i>(EFFECTIVE END OF DAY/SHIFT)</i>	EFFECTIVE PERS RETIREMENT DATE:	EFFECTIVE RETURN DATE TO THE CITY AS A PERS RETIREE:
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OFFICE USE ONLY (APPROVED ONLY):

PA SUBMISSION DATE:	PA SUBMITTED BY:	EMPLOYEE COPY PROVIDED:
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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Psilocybin (Mushroom) Discussion
Date: August 1, 2022

Background and Information

In November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (OPSA) which allows for the manufacture, delivery and administration of psilocybin (mushrooms) at licensed facilities. The Oregon Health Authority (OHA) has begun to implement Measure 109 and will begin accepting applications for psilocybin licenses in January 2023. This means local governments need to begin thinking about whether and to what extent they want to impose regulations on these types of facilities.

The Measure 109 program for psilocybin was modeled after the state’s marijuana program. As with the marijuana program, there are different types of licenses that OHA will issue under the state’s psilocybin program—manufacturer (production), laboratory (testing), facilitator (server), and service center licenses (location where provided and taken). Also, like the marijuana program, local governments may be involved in this process in three ways: (1) by imposing prohibitions on all or some of the types of licensed facilities being located within their jurisdictions; (2) by imposing time, place and manner restrictions on such facilities; and (3) by considering a land use compatibility statement (LUCS) that any such facility must acquire before it can obtain a license from OHA.

Attached is a letter from Heather Martin, City Attorney, which outlines the OPSA and the local government options.

Dayton changed our land use code when the marijuana program was approved by voters in 2014 by imposing time, place and manner restrictions on facilities. 7.2.416.01 states that it shall not be permitted within 1,000 feet schools, public libraries, parks and preschools. (See the code below.) The only area in town that is not within 1000 feet of where children gather is in the commercial/industrial area located to the east of the Vintages RV Park.

7.2.416.01 Standards

Marijuana Producers, Marijuana Processors, Marijuana Testing Laboratories, Marijuana Wholesalers, and Marijuana Retailers shall comply with the following standards:

1. **Conflicting Uses.** No marijuana-related use shall be permitted within 1,000 feet of real property containing any of the following:

1. Public elementary or secondary school for which attendance is compulsory under ORS 339.020; and
2. Private or parochial elementary or secondary school, teaching children as described under ORS 339.030; and
3. Public library; and
4. Public park; and
5. Preschools licensed by the State of Oregon

The distance between conflicting uses shall be measured in a straight line from the closest edge of each property, including any parking lot appurtenant thereto.

2. If a conflicting use described in A is established within 1,000 feet of a legally established marijuana-related use, the marijuana-related use may remain at that location.
3. Marijuana Retailers shall not operate except between the hours of 10:00 am and 7:00 pm.
4. Marijuana-related uses shall be located entirely within a permanent building and shall not include drive-through facilities. Outdoor storage of marijuana or marijuana items is prohibited.
5. Marijuana-related uses shall at all times be registered in good standing with the Oregon Health Authority (OHA) or licensed in good standing with the Oregon Liquor Control Commission (OLCC).
6. The cultivation of marijuana for personal use, as permitted by State law, is exempt from the provisions of this section.

In speaking with our attorney, because the psilocybin program is based on the marijuana program and it allows the city to impose time, place and manner restrictions, the City could choose to do update our land use code requiring the same standards keeping psilocybin producers, processors, testing laboratories, wholesalers, and retailers from within 1,000 of where children gather. I spoke with the City Planner and we feel that we have enough time to complete this process before the end of the calendar year.

If the City Council decides to do a moratorium instead to prohibit the establishment of psilocybin-related businesses, it will need to be done by referral at the next statewide general election. Therefore, we will need to file the ballot title with the County Clerk by August 18th. Staff would need to schedule a special session in August to bring an emergency ordinance with the ballot title language before the Council for adoption and hold a public hearing.

MEMORANDUM

TO: Rochelle Roaden, City Manager
FROM: Heather Martin, City Attorney
SUBJECT: Ballot Measure 109 (Psilocybin) Info
DATE: July 28, 2022

Background:

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 (mushrooms) at licensed facilities. The Oregon Health Authority (OHA) has begun the rulemaking process to implement Measure 109 and will begin accepting applications for psilocybin licenses in January 2023.

There are four different types of licenses that OHA will issue under the state's psilocybin program—manufacturer (production), laboratory (testing), facilitator (server), and service center licenses (location where provided and taken).

Measure 109 provides three different areas where the City could be involved in the state's psilocybin program. First, the City is permitted to prohibit licensed manufacturers or service centers within its jurisdiction. Any such prohibition, however, must be approved by the City's voters at a general election. Second, the City may impose reasonable time, place, and manner restrictions on licensed facilities if such facilities are not prohibited. Finally, before OHA issues a license for a facility, the City must provide a land use compatibility statement (commonly known as a LUCS), to ensure that the proposed facility is in compliance with local land use regulations.

Options:

Because OHA plans to begin accepting applications for licenses next January, the City should consider its options now as to how or if it wishes to regulate psilocybin facilities. The City's options include:

- Referring a measure to the November 2022 ballot to prohibit licensed facilities within Dayton. To place such a measure on the November 2022 ballot, Council must approve a resolution adopting a ballot title no later than August 18, 2022. Such a measure could prohibit manufacturer and/or service center licensees from locating within the City.

- Referring a measure to the November 2022 ballot to temporarily prohibit manufacturer and/or service center licensees in the City. Some cities are considering a temporary prohibition (2 years) to provide additional time to enact reasonable time, place, and manner restrictions on licensed facilities. Because these regulations typically result in amendments to the City's development code, the process to enact changes requires notice to the state as well as hearings before the Planning Commission and Council, and a temporary prohibition will provide extra time to consider such regulations. In addition, it is believed that a two-year prohibition will allow some jurisdictions to gather additional information about how/if licensed facilities will have an impact on their communities. To that end, some cities believe imposing a two-year prohibition makes sense.
- Enacting time, place and manner restrictions now. Instead of referring any type of prohibition to the ballot, some jurisdictions are considering enacting reasonable time, place, and manner restrictions to dictate where and how facilities will operate. It should be noted that state law already prohibits locating a service center within residential zones of an incorporated city or within 1,000 feet of a school. In addition, state law prohibits the manufacturing of psilocybin products outdoors.
- Taking a belt and suspenders approach by referring a measure to the ballot and enacting time, place and manner restrictions. The reasoning behind this approach is that if the voters reject a prohibition measure in November, there likely will not be enough time to have time, place and manner restrictions in place by January 2023 when OHA plans to begin issuing licenses.
- Not doing anything at this time. There is some belief that the psilocybin program will take more time than the marijuana program to get going, and as such, some jurisdictions are not rushing to take any action at this time. One issue to take into consideration with this approach is that any prohibition must be approved by the voters during a statewide general election. Thus, if a prohibition measure is not referred to the November 2022 ballot, the next time the voters could consider a prohibition of any kind is November 2024.

Two options the City may not consider are imposing additional licensing requirements or a local tax on psilocybin, as both types of regulations are expressly preempted by Measure 109.

Conclusion:

The Council should consider what, if any, regulations it would like to impose on psilocybin licensees.

Oregon Health Authority

PUBLIC HEALTH DIVISION
Oregon Psilocybin Services

Oregon Psilocybin Services Section

Oregon Psilocybin Services is a new section housed within the Oregon Health Authority Public Health Division's Center for Health Protection.

The OPS team has been designed around three program areas:

- **Policy and Engagement**
- **Licensing**
 - **Local Government and Law Enforcement Liaison position**
- **Compliance**

Each program will center on health equity, including outreach to partners and communities and working to ensure access to services.

Ballot Measure 109: The Oregon Psilocybin Services Act

In November of 2020, Ballot Measure 109, the Oregon Psilocybin Services Act was passed by voters in Oregon. The ballot measure is now codified as ORS 475A.

M109 created a license and regulatory framework for production of psilocybin and facilitation of psilocybin services for adults 21 years of age and older and created the Oregon Psilocybin Advisory Board that makes recommendations to OHA.

M109 does not:

- Create a consumer market for psilocybin
- Allow for export or import of psilocybin
- Allow licensees to interact with unregulated markets

License Types

Manufacturer License

- Cultivates fungi and manufactures psilocybin products
- Cannot cultivate outdoors
- Premise must have defined boundaries
- Cannot exceed production quantities established in rule
- Product tracking system required to track manufacturing, sale and transfer of psilocybin products to prevent diversion, ensure accurate accounting, ensure accurate reporting of lab testing results

Laboratory License

- All psilocybin products must be tested by a licensed lab prior to sale.
- Labs must be accredited by the Oregon Environmental Laboratory Accreditation Program
- Testing results must be entered in the product tracking system

License Types (cont'd)

Facilitator License

- Supervises sessions where clients consume psilocybin.
- Must complete **OHA approved training program** as a condition of licensure.
- Must pass exam approved or administered by OHA

Service Center License

- Cannot be located within 1000 feet of a school
- Must have defined boundaries
- Transfers psilocybin products to client for use during administration session

Psilocybin Services

Psilocybin will only be administered to persons 21 years or older in licensed service center settings under the supervision of trained and licensed facilitators.

Psilocybin Services may include:

- Preparation Session
- Administration Session
- Integration Session (optional)

Product tracking system required to track manufacturing, sale and transfer of psilocybin products to:

- Prevent diversion
- Ensure accurate accounting
- Ensure accurate reporting of lab testing results

Local Government Issues

Local Government Opt-Out:

- Local governments (cities and counties) may adopt ordinances that prohibit Manufacturers and Service Centers
- Ordinances must be referred to voters at the next general election

Local Government Time Place and Manner Regulations

- Local governments may adopt reasonable regulations on hours, location, and operation of licenses

Land Use Compatibility Statements (LUCS)

- Applicants for Service Center and Manufacturer licenses are required to request a LUCS from their local government before submitting a license application

Site Requirements

Service Centers:

- GIS mapping tool for school proximity
- Cannot be located on public land; must have defined boundaries
- Cannot be located within a residence
- Cannot be located in an area within city limits that is zoned exclusively for residential use

Manufacturers:

- Cannot be located on public land; must have defined boundaries
- Outdoor cultivation is prohibited
- Landlord must consent to use

TPM:

- OPS will not track local time place and manner regulations

License and Application Fees, Taxes

License and Application Fees

- License and application fees will be set in rule later this year
- Oregon Psilocybin Services will be a fee-based program and fees must cover the costs associated with the agency's work

Taxes

- Service Centers collect a 15% tax on the sale of psilocibin products payable to Oregon Department of Revenue
- Local taxes and fees are prohibited
- Psilocybin services are not taxed

OHA Key Dates

- **November 24, 2021:** Preliminary recommendations from OPAB
- **December 2021:** Public Listening Sessions
- **January 1, 2022:** Community Interest Survey
- **May 13, 2022:** Effective Date for Expedited Rules.
- **June 1, 2022:** OHA begins accepting applications for training programs
- **June 30, 2022:** Recommendations for Remaining Rules
- **July 2022:** Public Listening Sessions
- **September 2022:** RAC for Remaining Rules
- **November 1-21, 2022:** Public Comment for Remaining Rules
- **December 30, 2022:** Effective Date for Remaining Rules
- **January 2, 2023:** OHA begins accepting applications for licensure

Thank You!

Please visit our website:

<https://www.oregon.gov/psilocybin>

*The Dayton Mayor and City Council cordially invite you
to attend the August 2022 Yamhill City/County Dinner
hosted by the City of Dayton*

Thursday, August 18, 2022

6:30 pm Social Hour

7:00 pm Dinner

*Stoller Family Estate
16161 NE McDougall Road
Dayton, Oregon*

Menu

\$35.00 per person

Appetizers

No Host Wine Bar

***Artisan Cheese
Charcuterie***

Main Course

***Please RSVP (noting any dietary
restrictions) no later than
August 12th***

Chicken Piccata

***Pasta Bar with Alfredo and Vodka
Sauces and Assorted Pastas***

***to Dawn Beveridge at
dbeveridge@ci.dayton.or.us
or by calling 503-864-2221.***

Side Dishes

Salad, Seasonal Vegetable, Artisan Bread

Send payment to:

Dessert

City of Dayton

PO Box 339

***Lemon Zest Cake with Vanilla Buttercream
White Almond Cake with Salted Caramel
Buttercream***

Dayton, OR 97114



100 HIGH STREET S.E., Suite 200 | SALEM, OREGON 97301 | www.mwvcog.org
T: 503.588.6177 | F: 503-588-6094 | E: mwvcog@mwvcog.org
An equal opportunity lender, provider, and employer

Re: A Mid-Willamette Valley Legislative Gathering



The Mid-Willamette Valley Council of Governments (MWVCOG) Legislative Committee would like to extend to you an invitation to join us on August 9, 2022 at 11:30am at the Spirit Mountain Casino in Grand Ronde Oregon for our first ever **MWVCOG Legislative Gathering**. For this luncheon, we have invited State and Federal Elected officials that represent the Marion, Polk, and Yamhill County COG Members, or are running for State and Federal Offices, to this meet and greet with our membership. We would like for you and other elected and appointed officials to come to a Luncheon to meet and greet those running for office and who will represent our Mid-Willamette Valley Region.

This Gathering is Hosted by the MWVCOG Legislative Committee, members of which represent our Board of Directors, who will be present to discuss our Regional Legislative Agenda and to welcome you to our 43 Membership, who represent the elected officials of 3 Counties, 33 Cities and 7 Special Districts in the Mid-Willamette Region.

The Confederated Tribes of the Grand Ronde are sponsoring this Gathering and we extend a warm thank you to the Tribal Council for their generous support of this effort to share information about our Region, our collective needs, and what makes this part of Oregon so special. We hope that you be able to join us.

Please let us know if you are able to attend by signing up here at [MWVCOG Legislative Gathering](#) by July 29, 2022. If you have any questions about this event, please feel free to contact our Executive Director, Scott Dadson, at sdadson@mwvcog.org or at 503-540-1601. We look forward to seeing you at the Gathering!

Sincerely,

A handwritten signature in blue ink, appearing to read "S.P.", is placed above the typed name.

Salvador Peralta, Chair
Mid-Willamette Valley Council of Governments

Report Criteria:
 Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
06/22	06/30/2022	600	189	CIS Trust	JULY 2022	22	400.400.594.00	.00	13,328.35
06/22	06/29/2022	601	190	AFLAC	910728	1	100.000.220.00	.00	257.00
06/22	06/30/2022	602	256	Oregon Dept of Revenue	PR 0630202	1	100.000.212.00	.00	3,554.95
06/22	06/06/2022	27799	127	Baker & Taylor	Multiple	1	100.104.715.00	.00	43.66
06/22	06/06/2022	27800	1896	BearCom	5380378	5	400.400.614.00	.00	5,557.00
06/22	06/06/2022	27801	151	Beery, Elsner & Hammond	Multiple	1	300.300.700.00	.00	1,733.05
06/22	06/06/2022	27802	1497	C3 Intelligence, Inc.	28229	6	400.400.705.00	.00	252.47
06/22	06/06/2022	27803	1897	Christopher& Brandi Hancock	DEPOSIT RE	2	400.400.750.00	.00	29.91
06/22	06/06/2022	27804	105	City of Dayton	Multiple	1	300.301.707.00	.00	1,726.32
06/22	06/06/2022	27805	423	Comcast Cable	8778105130	1	300.301.705.30	.00	104.85
06/22	06/06/2022	27806	519	Comcast Cable - internet	8778105130	11	400.400.705.30	.00	143.35
06/22	06/06/2022	27807	789	Edge Analytical	Multiple	1	400.400.751.00	.00	127.00
06/22	06/06/2022	27808	543	Ferrellgas	Multiple	10	400.400.600.10	.00	959.52
06/22	06/06/2022	27809	134	Iron Mountain Records Mgmt	GNZT487	10	400.400.601.00	.00	80.77
06/22	06/06/2022	27810	845	John Deere Financial	3490982	5	400.400.614.00	.00	200.86
06/22	06/06/2022	27811	215	Knife River	2783174	1	300.300.614.60	.00	100.50
06/22	06/06/2022	27812	989	Leo's Excavating & Trucking, Inc	1443	1	300.300.614.60	.00	1,620.00
06/22	06/06/2022	27813	139	Lowe's	Multiple	1	400.400.616.00	.00	699.39
06/22	06/06/2022	27814	1572	McMinnville Commercial Cleaners	Multiple	1	100.100.707.30	.00	1,000.00
06/22	06/06/2022	27815	121	McMinnville Water & Light	67508 622	1	300.300.600.00	.00	188.40
06/22	06/06/2022	27816	109	News Register	Multiple	11	400.400.700.10	.00	1,440.60
06/22	06/06/2022	27817	948	NW Tree Care	4710	1	100.103.619.00	.00	475.00
06/22	06/06/2022	27818	173	One Call Concepts, Inc.	2050359	2	400.400.799.00	.00	51.45
06/22	06/06/2022	27819	224	Orchard & Vineyard Supply	Multiple	1	300.300.614.00	.00	255.00
06/22	06/06/2022	27820	1245	PBS Engineering and Environmen	0075319.003	1	700.700.910.41	.00	4,197.50
06/22	06/06/2022	27821	103	PGE	8721021000	1	300.300.600.00	.00	85.99
06/22	06/06/2022	27822	116	Pitney Bowes	3315732695	10	400.400.601.10	.00	238.65
06/22	06/06/2022	27823	621	Portland Engineering, Inc	11094	3	400.400.705.10	.00	90.00
06/22	06/06/2022	27824	1463	Quadient Leasing USA, Inc	N9435492	10	400.400.601.10	.00	459.15
06/22	06/06/2022	27825	106	Recology Western Oregon	Multiple	1	101.101.700.51	.00	1,573.19
06/22	06/06/2022	27826	1773	Ricci Haworth	05.31.22 EX	11	400.400.611.00	.00	49.98
06/22	06/06/2022	27827	615	Schneider Water Services	12938	1	300.300.614.40	.00	2,867.50
06/22	06/06/2022	27828	119	Sprint	414585229-2	10	400.400.602.00	.00	538.36
06/22	06/06/2022	27829	875	Step Forward Activities	126720	1	100.103.619.00	.00	530.05
06/22	06/06/2022	27830	1832	Ticor Title Company	Multiple	1	100.100.705.00	.00	800.00
06/22	06/06/2022	27831	818	TK Elevator	3006622113	1	100.100.707.30	.00	822.41
06/22	06/06/2022	27832	546	USPS	PO BOX 339	10	400.400.601.10	.00	332.00
06/22	06/06/2022	27833	154	Westech Engineering, Inc	Multiple	1	700.700.920.00	.00	16,087.89
06/22	06/06/2022	27834	1876	Western Rock Resources	41811	1	300.300.614.41	.00	66.00
06/22	06/06/2022	27835	112	Wilco	Multiple	7	400.400.614.10	.00	3,535.64
06/22	06/06/2022	27836	114	Yamhill County Sheriff	JUNE 2022	1	101.101.705.10	.00	14,953.58
06/22	06/06/2022	27837	1898	Butler Ford	2022 FORD	1	750.750.903.10	.00	31,982.08
06/22	06/07/2022	27838	1899	Dayton Volunteer Firefighters Ass	DONATION 2	1	500.500.752.20	.00	2,000.00
06/22	06/07/2022	27839	814	Homeward Bound Pets Adoption	2022 DONAT	2	500.500.752.20	.00	2,000.00
06/22	06/21/2022	27840	329	Alexonet Inc	2248	11	105.105.705.30	.00	1,136.75
06/22	06/21/2022	27841	1896	BearCom	5386083	5	400.400.614.00	.00	510.00
06/22	06/21/2022	27842	151	Beery, Elsner & Hammond	28637	11	500.500.700.00	.00	329.00
06/22	06/21/2022	27843	1878	Brightside Electric & Lighting	Multiple	1	300.301.707.00	.00	10,430.43
06/22	06/21/2022	27844	125	Canon Solutions America	28704909	10	400.400.601.00	.00	491.26
06/22	06/21/2022	27845	1900	Chelsea Randall	DEPOSIT RE	1	100.100.750.20	.00	200.00
06/22	06/21/2022	27846	105	City of Dayton	FD2022-04	1	700.700.910.41	.00	750.00
06/22	06/21/2022	27847	362	City of Newberg	MAY 2022	3	100.106.716.00	.00	539.25
06/22	06/21/2022	27848	148	Davison Auto Parts	331005	6	400.400.617.00	.00	211.15

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
06/22	06/21/2022	27849	532	Dayton Community Development	12	1	500.500.752.22	.00	2,500.00
06/22	06/21/2022	27850	111	DCBS Fiscal Services	MAY 2022	1	100.106.700.35	.00	9.16
06/22	06/21/2022	27851	231	DOWL	2860.80185.	1	700.700.910.41	.00	41,784.51
06/22	06/21/2022	27852	789	Edge Analytical	Multiple	1	300.300.751.00	.00	164.00
06/22	06/21/2022	27853	513	Elizabeth Wytoski	06.15.2022 E	1	500.500.752.00	.00	50.00
06/22	06/21/2022	27854	543	Ferrellgas	1119539261	1	100.100.600.10	.00	340.80
06/22	06/21/2022	27855	694	GPEC Electrical Contractors	Multiple	1	400.400.614.40	.00	1,088.25
06/22	06/21/2022	27856	1403	Hollee McGrew	DEPOSIT RE	1	100.100.750.20	.00	350.00
06/22	06/21/2022	27857	108	Les Schwab	2020153214	6	400.400.614.00	.00	37.98
06/22	06/21/2022	27858	124	Mid-Willamette Valley COG	1663	1	100.105.705.20	.00	2,908.51
06/22	06/21/2022	27859	109	News Register	132031	1	101.101.752.00	.00	142.64
06/22	06/21/2022	27860	948	NW Tree Care	4739	10	400.400.707.00	.00	300.00
06/22	06/21/2022	27861	871	ODP Business Solutions, LLC	2476532120	10	400.400.601.00	.00	34.47
06/22	06/21/2022	27862	163	Oregon Dept of Revenue	STATE ASSE	1	101.101.700.35	.00	20.00
06/22	06/21/2022	27863	1901	Patrick Riley	DEPOSIT RE	2	400.400.750.00	.00	40.20
06/22	06/21/2022	27864	1098	Petty Cash	PETTY CAS	31	400.400.601.10	.00	183.59
06/22	06/21/2022	27865	103	PGE	Multiple	1	300.301.600.00	.00	6,169.62
06/22	06/21/2022	27866	621	Portland Engineering, Inc	Multiple	1	700.700.910.41	.00	11,955.75
06/22	06/21/2022	27867	1773	Ricci Haworth	JUNE 2022	11	400.400.611.00	.00	45.98
06/22	06/21/2022	27868	171	Terminix Processing Center	420899717	10	100.104.707.00	.00	94.00
06/22	06/21/2022	27869	1763	Terrence D. Mahr	22-005	1	101.101.705.40	.00	250.00
06/22	06/21/2022	27870	1006	US Bank	Multiple	17	400.400.611.00	.00	6,669.05
06/22	06/21/2022	27871	186	VFW post # 355	22-005	1	101.101.705.00	.00	75.00
06/22	06/21/2022	27872	115	Yamhill County Sheriff	22-005	1	101.101.700.35	.00	5.00
06/22	06/21/2022	27873	614	Ziplyfiber	Multiple	1	300.300.602.00	.00	309.65
Grand Totals:								.00	207,265.37

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	143,119	700	0	1	38,756	925,124	1,107,700

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	10,162.74	350.00	-	-	5,179.33	80,809.84	96,501.91
Sewer Amount	3,437.70	-	-	-	1,821.91	38,914.47	44,174.08
Misc Amount	-	-	-	-	-	422.18	422.18
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	52.41	52.41
Late Chrg Amount	20.00	-	-	-	-	1,134.07	1,154.07
Total Charges:	13,620.44	350.00	-	-	7,001.24	121,332.97	142,304.65

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	13,902.81	-	-	-	6,356.26	123,890.90	144,149.97
Payments	5,808.48-	-	-	-	6,356.26-	97,086.75-	109,251.49-
Contract Adjustments	-	-	-	-	-	-	-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	-	-	-	-	129.13-	129.13-
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	13,620.44	350.00	-	-	7,001.24	121,332.97	142,304.65
Current Balance:	21,714.77	350.00	-	-	7,001.24	148,007.99	177,074.00

Year To Date: 07/01/2022 - 07/31/2022

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	143,119	700	0	1	38,756	925,124	1,107,700

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	10,162.74	350.00	-	-	5,179.33	80,809.84	96,501.91
Sewer Amount	3,437.70	-	-	-	1,821.91	38,914.47	44,174.08
Misc Amount	-	-	-	-	-	422.18	422.18
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	52.41	52.41
Late Chrg Amount	20.00	-	-	-	-	1,134.07	1,154.07
Total Charges:	13,620.44	350.00	-	-	7,001.24	121,332.97	142,304.65

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	13,902.81	-	-	-	6,356.26	123,890.90	144,149.97
Payments	5,808.48-	-	-	-	6,356.26-	97,086.75-	109,251.49-
Contract Adjustments	-	-	-	-	-	-	-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	-	-	-	-	129.13-	129.13-

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	13,620.44	350.00	-	-	7,001.24	121,332.97	142,304.65
Current Balance:	21,714.77	350.00	-	-	7,001.24	148,007.99	177,074.00