



# MEMORANDUM

Council Agenda  
Item No. XI.B.  
8/30/2016

## The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Councilman Pete White, Ward 4

Resolution providing essential information to the citizens of Oklahoma City concerning State Question 777, the proposed amendment to the Oklahoma Constitution, which is planned for a statewide vote on the Tuesday, November 8, 2016 State General Election Ballot; informing city voters of the potential adverse effects of State Question 777 on the ability of The City of Oklahoma City to regulate land use activities and to enact other ordinances and regulations within the City for the protection of the health, safety and welfare of its citizens; and urging all registered voters within Oklahoma City, before casting their votes on State Question 777, to carefully study and consider all the potential adverse effects of State Question 777 on the health, safety and welfare of Oklahoma City residents.

### Background

During the 2015 legislative session, the Oklahoma Legislature passed House Joint Resolution 1012, which proposes adding a new section to the Oklahoma Constitution that would “protects the rights of citizens and lawful residents of Oklahoma to engage in farming and ranching practices. It prohibits the Legislature from passing laws that would take away the right to employ agricultural technology and livestock production without a compelling state interest.”

A core function of The City of Oklahoma City, as authorized by Article 43 of Title 11 Oklahoma Statutes is to regulate land usage and zoning according to community desires and needs, through community-based processes and zoning ordinances, while protecting property rights of all citizens, and planning for the successful growth and development within city limits. The City’s authority to enact land use regulations within The City of Oklahoma City is critical to the health, safety, and welfare of our community.

Under the provisions of SQ 777, if approved, Oklahoma City’s efforts to guarantee access by its citizens to high-quality and ample quantity of water, and efficient and appropriate delivery systems and any such efforts by the City could result in extensive and expensive litigation against The City of Oklahoma City merely because it is attempting to safeguard the health, safety and welfare of its residents.

State Question 777 provides that this special consideration for farming and ranching practices is guaranteed ‘forever,’ which precludes consideration of any unforeseen practices, treatments, or chemicals, on

the obligations and ability of the State of Oklahoma and The City of Oklahoma City to provide to their residents an ample quantity of high quality water at a reasonable rate and manageable expense.

Thus, the Mayor and Council of The City of Oklahoma City urge all registered voters within Oklahoma City, before casting their votes on SQ 777 carefully study and consider all the potential adverse effects of SQ 777 on the health, safety and welfare of Oklahoma City residents.

Review

City Manager's Office

Recommendation: Resolution be adopted.

Attachment