

RESOLUTION

RESOLUTION PROVIDING ESSENTIAL INFORMATION TO THE CITIZENS OF OKLAHOMA CITY CONCERNING STATE QUESTION 777 (SQ 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 SQ 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 SQ 777, TO CAREFULLY STUDY AND CONSIDER ALL THE POTENTIAL ADVERSE EFFECTS OF SQ 777 ON THE HEALTH, SAFETY, AND WELFARE OF OKLAHOMA CITY RESIDENTS.

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, access to clean, high-quality potable water in appropriate quantities is also of critical importance to Oklahoma City residents; and

WHEREAS, the preservation of soil and air quality are also valuable to Oklahoma City citizens; and

WHEREAS, ensuring these various elements for its residents and businesses is one of the pre-eminent obligations of The City of Oklahoma City; and

WHEREAS, providing these local governmental benefits and infrastructure to its residents, and maintaining them, is an on-going and ever-increasing financial burden for The City of Oklahoma City; and

WHEREAS, the amendments to the Oklahoma Constitution proposed by SQ 777, which would enact a State constitutional throughout the State of Oklahoma, would enact special constitutional protections and special constitutional privileges for a specific group of Oklahoma residents and

Oklahoma industries (farming and ranching) provided to no other group or industry in the State of Oklahoma, at the expense of all other residents and industry; and

WHEREAS, if approved by State voters, SQ 777 would take precedence over the land-use ordinances, regulations, and plans of The City of Oklahoma City, compromising its ability and statutory obligation to ensure compatibility between land uses and the appropriate development and growth within the City and to further protect the health, safety and welfare of its residents; and

WHEREAS, SQ 777 would seriously compromise The City's ability to provide an ample and safe water supply to its residents at reasonable expense; and

WHEREAS, SQ 777 would seriously compromise the ability of the State of Oklahoma, its regulatory agencies, and The City of Oklahoma City to take action to manage technology that impacts industrial, farming and ranching operations potentially harmful to its residents; and

WHEREAS, 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; and

WHEREAS, passage of SQ 777 could also result in increased expenses in providing high-quality and ample water as a result of agricultural runoff, chemical treatment, and animal by-products; and

WHEREAS, SQ 777 would allow special consideration of one industry ('farming') that could set a precedent for allowing similar special considerations for any and all industries and practices in Oklahoma; and

WHEREAS, SQ 777 provides that this special consideration 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.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of The City of Oklahoma City that they are critically concerned that State Question 777, the proposed State constitutional amendment, if approved by State voters at the Statewide election on Tuesday, November 8, 2016, could negatively impact vital municipal land use controls and jeopardize the

City's ability to meet the essential needs and requirements of its residents and to otherwise promote the health, safety and welfare of all citizens and residents of The City of Oklahoma City.

AND BE IT FURTHER RESOLVED by the Mayor and Council of The City of Oklahoma City that they urge all registered voters within Oklahoma City, before casting their votes on SQ 777, to carefully study and consider all the potential adverse effects of SQ 777 on the health, safety, and welfare of Oklahoma City residents.

APPROVED by the Council of the City of Oklahoma City and **SIGNED** by the Mayor this _____ day of _____, 2016.

THE CITY OF OKLAHOMA CITY

ATTEST:

City Clerk

MAYOR

REVIEWED for form and legality.



Assistant Municipal Counselor