

MEMORANDUM FOR RECORD

OR-17-006, 05-09-17

The objective of the ordinance proposes to revert plat approval authority, ceded to Planning and Zoning in 2014, back to the City Council, unifying the two-step approval process. The specific reasons for reverting approval authority are delineated, to ensure specifically consistency of terms and processes, respective to substantive changes of this ordinance and various other revisions to Chapter XXVI of the Code of Ordinances of the City of Killeen. I generally support reverting plat approval authority back to the City Council.

Section 26-11 speaks directly to the approval of plats in paragraph (b), subparagraph (1), (2), and (3). They deal with the general plans, rules and ordinances for the extension of the municipality or the extension, improvement or widening of its roads, streets, and public highways within the municipality, considers access and extension of sewer and water mains and the instrumentalities of public utilities, and any general plans, rules, or ordinances adopted under this chapter. The last revision to this section of the contemplated ordinance was Ordinance 14-009, subparagraph a, 02-11-14.

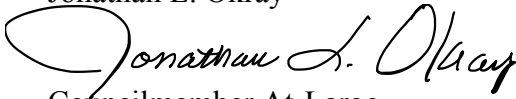
It was not an accurate assertion that the infrastructure criterion listed in subparagraph (b) of the ordinance are not germane -connected, relevant, and appropriate- in the plat approval process. I am open to receiving all interpretations aligning with the intent and spirit of this ordinance, that seeks to apply and enforce regulation that is necessary to promote orderly development of our city.

This body identified and implemented, but not receive to determine, the whole and cogent structure of proposed revenue streams that are necessary now and in the future to affect and promote orderly development of public infrastructure, associated and situated alongside development within our city and the extraterritorial jurisdiction of our city. To revert plat approval authority to this body, without rules, tools, and resourcing that are necessary to establishing, operating, maintaining, resourcing and provisioning for delivery of public infrastructure is "half baked, not a full cake".

Though I generally support reverting plat approval authority back to the City Council, I do not support ordinance I believe in its current state uncoupled, inadequate, lacking, and wanting in vision, regarding the plat approval process, specifically as it regards and is associated with fiscal streams, responsibility, and liability to deliver to the public at large. Chapter II, Article VI and Chapter XXVI of the Code of Ordinances are currently inadequate to meet the rigors required to deliver public infrastructure, reasonably and necessary to meet growth demands.

Current ordinance does not provide adequate contours or placeholders within them to guide contemplation of the plat approval process within the body of Planning and Zoning or the City Council. My hope is that this memorandum will clarify my statements made at workshop regarding this consideration. Edmund Burk stated, "bad laws are the worst sort of tyranny"<sup>1</sup>. The current form of Chapter XXVI is indicative of such law or ordinance. Given our growth trajectory the statement made is relevant and fitting.

Jonathan L. Okray



Councilmember At-Large

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<sup>1</sup> "Edmund Burke," *Wikipedia*, April 20, 2017, accessed May 9, 2017, [https://en.wikipedia.org/w/index.php?title=Edmund\\_Burke&oldid=776372592](https://en.wikipedia.org/w/index.php?title=Edmund_Burke&oldid=776372592).