

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 6, 1972.

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The meeting was called to order at 9:30 A. M. by Mayor Pro-Tem Gilbert Garza, in the temporary absence of Mayor John Gatti, with the following members present: HABERMAN, HILL, BECKER, HILLIARD, MENDOZA, GARZA, NAYLOR, PADILLA, GATTI; Absent: NONE.

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72-16 The invocation was given by Rev. Charles B. Kemble, Parkview Baptist Church.

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72-16 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

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72-16 The minutes of the meeting of March 30, 1972, were approved.

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72-16 The following Ordinances were read by the Clerk and explained by Mr. Tom Raffety, Aviation Director, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Garza, Naylor; NAYS: None; ABSENT: Hilliard, Padilla, Gatti.

AN ORDINANCE 40,555

MANIFESTING AN AGREEMENT WITH MELBA
AYLESWORTH TO EXTEND THE PRESENT LEASE
AGREEMENT OF CERTAIN BUILDING SPACE AT
STINSON MUNICIPAL AIRPORT FOR A PERIOD
OF ONE YEAR.

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AN ORDINANCE 40,556

CONSENTING TO THE ASSIGNMENT OF A LEASE
AGREEMENT PROVIDING SPACE AT STINSON
MUNICIPAL AIRPORT (LEASE NO. 650) FROM
C. E. EARNHARDT D/B/A EARNHARDT AVIATION
TO TEXAS RESEARCH, INC.

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72-16 The following Ordinance was read by the Clerk and explained by Mr. Tom Raffety, Aviation Director, and after consideration, on motion of Mr. Hill, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor; NAYS: None; ABSENT: Padilla, Gatti.

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AN ORDINANCE 40,557

CONSENTING TO THE ASSIGNMENT OF A LEASE AGREEMENT PROVIDING FOR LEASE OF SPACE AT STINSON MUNICIPAL AIRPORT (LEASE NO. 653) FROM C. E. EARNHARDT D/B/A EARNHARDT AVIATION TO TEXAS RESEARCH, INC.

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72-16 The following Ordinance was read by the Clerk and explained by Mr. W. S. Clark, Land Division Chief, and after consideration, on motion of Mr. Becker, seconded by Mr. Hill, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor; NAYS: None; ABSTAIN: Padilla; ABSENT: Gatti.

AN ORDINANCE 40,558

AUTHORIZING EXECUTION OF A QUITCLAIM DEED TO BAPTIST MEMORIAL HOSPITAL, A TEXAS CORPORATION, OF AIR RIGHTS OVER KERR ALLEY IN CONSIDERATION OF THE PAYMENT OF \$652.00 BY BAPTIST MEMORIAL HOSPITAL.

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72-16 The following Ordinances were read by the Clerk and explained by Mr. W. S. Clark, Land Division Chief, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 40,559

GRANTING A LICENSE TO BAPTIST MEMORIAL HOSPITAL FOR CONSTRUCTION OF A PASSAGEWAY OVER A PORTION OF RICHMOND AVENUE WHICH IS PUBLIC PROPERTY AND IS MORE SPECIFICALLY DESCRIBED BELOW AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 40,560

CLOSING AND ABANDONING HEADWAY ALLEY BETWEEN RICHMOND AVENUE AND LEXINGTON AVENUE IN BLOCK 13, NEW CITY BLOCK 797 AND AUTHORIZING A QUITCLAIM DEED TO BAPTIST MEMORIAL HOSPITAL FOR A CONSIDERATION OF \$2,658.00 AND AUTHORIZING A QUITCLAIM DEED TO MADISON SQUARE PRESBYTERIAN CHURCH FOR A CONSIDERATION OF \$2,555.00.

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72-16 The following Ordinance was read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration, on motion of Mr. Becker, seconded by Mr. Mendoza, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Padilla; NAYS: None; ABSENT: Naylor, Gatti.

AN ORDINANCE 40,561

AUTHORIZING PAYMENTS TOTALING \$2,925.00 TO JUAN ESQUIVEL AND PAUL ELIZONDO AND ORCHESTRAS TO FURNISH FREE ENTERTAINMENT TO THE PUBLIC AT THE GOLIAD FOOD CLUSTER IN HEMISFAIR PLAZA DURING FIESTA WEEK.

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72-16 The following Ordinances were read by the Clerk and explained by Mr. Jim Gaines, Director of HemisFair Plaza, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 40,562

AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWO (2) YEAR LEASE AGREEMENT WITH EUGENE M. JOHNSON PROVIDING FOR LEASE OF 200 SQUARE FEET IN BUILDING NO. 316 AT HEMISFAIR PLAZA TO COMMENCE APRIL 1, 1972.

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AN ORDINANCE 40,563

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AS LESSOR AND E. J. SHERWOOD AS LESSEE, TO TERMINATE THE LEASE AGREEMENT PROVIDING FOR LEASE OF 200 SQUARE FEET IN BUILDING NO. 316 AT HEMISFAIR PLAZA.

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AN ORDINANCE 40,564

AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR LEASE AGREEMENT WITH CAROL LYNN SMITH, AN INDIVIDUAL D/B/A LA ALBA, FOR LEASE OF 400 SQUARE FEET OF SPACE IN BUILDING NO. 206 AT HEMISFAIR PLAZA, TO COMMENCE APRIL 1, 1972.

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72-16 The Clerk read the following Ordinance:

AN ORDINANCE 40,565

AUTHORIZING EXECUTION OF AN AGREEMENT
WITH THE TEXAS HIGHWAY DEPARTMENT FOR
INSTALLATION OF AUTOMATIC PROTECTION
DEVICES AT 15 VARIOUS CITY STREET
CROSSINGS.

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Mr. Stewart Fischer, Director of Traffic and Transportation, reported that work has begun on the Eisenhower Road Crossing and should be in operation within a week or ten days.

After consideration, on motion of Mrs. Haberman, seconded by Mr. Padilla, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

72-16 The Clerk read the following Ordinance:

AN ORDINANCE 40,566

AMENDING SECTION 7 OF ORDINANCE 38695 OF
JULY 2, 1970 SO AS TO REVISE THE METHOD
OF DETERMINING THE SEWER SERVICE CHARGE
FOR ENTITIES OWNING AND OPERATING A PUBLIC
SEWAGE SYSTEM WHICH IS CONNECTED TO SAN
ANTONIO'S SYSTEM FOR TRANSPORTATION AND
TREATMENT SERVICES, AND SETTING THE RATE
FOR SUCH SERVICE FOR 1972 AT \$0.121 PER
1,000 GALLONS OF SEWAGE BASED UPON 70
PERCENT OF TOTAL WATER CONSUMPTION.

* * * *

The Ordinance was explained by Mr. Carl White, Finance Director, who stated that this is an amendment to the O.C.L. rate Ordinance and is based on the City's actual cost for providing the service. The areas concerned are Olmos Park, Castle Hills, Terrell Hills, Balcones Heights, Windcrest, the Military installations and all other outside entities. The principal change is that the charge will be based on 70 percent of total water volume by months rather than on the four "dry" months. Rates can be adjusted annually.

After consideration, on motion of Mr. Hill, seconded by Mrs. Haberman, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

72-16 Councilman Becker referred to a report from Fire Chief Mulhern in which he reported that 1,167,000 gallons of water were used in an attempt to quench a fire in a dump on Ira Lee Road. He asked if there isn't somehow the City can recover cost of the water and the man hours used in fighting the fire.

City Manager Henckel stated that a suit has been filed against the responsible party.

72-16 The following Ordinance was read by the Clerk and explained by Mr. Bob Frazer, Director of Parks and Recreation, and after consideration, on motion of Mrs. Haberman, seconded by Mr. Becker, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 40,567

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE TEXAS ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS PERTAINING TO EMPLOYMENT IN 1972 OF FORTY (40) COLLEGE STUDENTS UNDER PROJECT "SET" SUMMER EMPLOYMENT - TEXAS; ESTABLISHING ACCOUNTING PROCEDURES AND AUTHORIZING A TRANSFER OF FUNDS.

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72-16 The following Ordinance was read by the Clerk and explained by Dr. William R. Ross, Director of the San Antonio Metropolitan Health District, and after consideration, on motion of Mr. Becker, seconded by Mrs. Haberman, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 40,568

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND EDWIN E. SMITH TO EXTEND FOR AN ADDITIONAL ONE (1) YEAR TERM THE CONTRACT PROVIDING FOR COLLECTION OF SILVER FROM DRAINAGE LINES IN THE CITY HEALTH DEPARTMENT ACCORDING TO THE SAME TERMS AND CONDITIONS.

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72-16 Mayor Gatti entered the meeting and presided.

72-16 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,569

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE GREATER SAN ANTONIO SAFETY COUNCIL FOR ESTABLISHMENT AND OPERATION OF A DRIVER BEHAVIOR MODIFICATION SCHOOL FOR DWI DEFENDANTS REFERRED TO SUCH SCHOOL BY COURTS AS A CONDITION OF THEIR PROBATION, AND PROVIDING FOR PAYMENT THEREFOR, AS A PART OF THE ALCOHOL SAFETY ACTION PROGRAM.

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AN ORDINANCE 40,570

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF EASEMENTS ACROSS CERTAIN PRIVATELY OWNED REAL PROPERTY IN BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES, TO WIT: THE LOCATION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE OF SALADO CREEK OUTFALL SANITARY SEWER MAIN, SECTION DELORES PHASE "B"; AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT BE ACQUIRED THROUGH NEGOTIATIONS.

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AN ORDINANCE 40,571

PROMOTING TRAFFIC SAFETY IN THE CITY OF SAN ANTONIO BY MAKING IT UNLAWFUL FOR ANY PERSON TO EXHIBIT AT A MOTION PICTURE THEATRE OR DRIVE-IN MOTION PICTURE THEATER IN THE CITY OF SAN ANTONIO ANY MOTION PICTURE, FILM, SLIDE OR OTHER EXHIBIT WHICH IS VISIBLE FROM ANY PUBLIC STREET OR HIGHWAY IN WHICH THE PUBIC AREA, BARE BUTTOCKS, OR BARE FEMALE BREASTS OF THE HUMAN BODY ARE SHOWN, AND PROVIDING FOR A FINE NOT EXCEEDING \$200.00 FOR VIOLATION.

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72-16 Item 18 of the agenda being a proposed contract for parking consultant services was withdrawn from consideration at the request of the City Manager.

72-16 The following Ordinance was read by the Clerk and explained by City Manager Henckel, and after consideration, on motion of Mrs. Haberman, seconded by Mr. Naylor, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,572

AUTHORIZING PAYMENT OF THE SUM OF \$15,000.00 OUT OF FUND NO. 7-99 IN FULL AND FINAL SETTLEMENT OF CAUSE NO. F-236,123, ESTATE OF ROBERT RODRIGUEZ, DECEASED, ET AL VS. CITY OF SAN ANTONIO AND ESTEBAN LIDO MORENO.

* * * *

a. CASE 4501 - to rezone the south 75' of Lot 67, NCB 11888, 7915 Broadway, from "A" Single Family Residential District to "O-1" Office District, located on the west side of Broadway; being 159.2' north of the intersection of Terra Alta Road and Broadway; having 75' on Broadway and a depth of 182'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. Hilliard made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Hilliard Mendoza, Garza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,573

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS THE SOUTH 75' OF
LOT 67, NCB 11888, 7915 BROADWAY, FROM
"A" SINGLE FAMILY RESIDENTIAL DISTRICT
TO "O-1" OFFICE DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

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b. CASE 4502 - to rezone Lot 1 and the north 50' of Lot 2, NCB 6883, 3002 McCullough Avenue, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located southeast of the intersection of McCullough Avenue and Carleton Avenue; having 163.6' on Carleton Avenue and 175' on McCullough Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council. Mr. Camargo stated that ten notices have been returned in opposition to the proposed rezoning. The opposition represents more than twenty percent of the affected property owners which necessitates seven (7) affirmative votes to approve the rezoning.

Mr. Chilton Maverick, owner of the property, stated that the property is not suited for a single family residence. He pointed out that this is a busy corner and there is an apartment just south of it. He asked that the Council consider the request favorably.

The following persons spoke in opposition to the rezoning citing the increased traffic which would be generated by the apartment complex. They also expressed desire to retain the area for single family residences.

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Mr. Paul Offer, 237 East Summit
 Mr. Ed Tschoepe, 218 East Summit
 Sister M. Martha, Saint Anthony's School
 General Davis, 222 East Summit
 Mrs. Carl F. Groos, 145 East Agarita
 Mr. Bill Goldfein, 7731 Broadway
 Mr. W. N. Henry, 203 East Agarita
 Mr. E. F. Seyfirst, 146 East Agarita
 Mr. E. R. Pavelka, 210 East Agarita
 Mr. P. E. Meyer, 206 East Agarita
 Mr. Carl Ward, Our Lady of Grace Church
 Mrs. Hazel Franz, 202 East Agarita
 Mrs. John Ditmar, 254 East Summit
 Mrs. Catherine Powell, 216 East Agarita

After consideration, Mr. Becker moved that the recommendation of the Planning Commission be upheld and the request for rezoning granted. The motion was seconded by Mr. Hill and failed to carry by the following roll call vote: AYES: Hill, Becker, Hilliard, Gatti; NAYS: Haberman, Mendoza, Garza, Naylor, Padilla; ABSENT: None.

c. CASE 4504 - to rezone Lot 21, Block 1, NCB 9551, 423 Robeson Avenue, from "A" Single Family Residential District to "B-1" Business District, located north of the intersection of Hampton Avenue and Robeson Avenue; having 85' on Hampton Avenue and 109' on Robeson Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be approved. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,574

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS LOT 21, BLOCK 1,
 NCB 9551, 423 ROBESON AVENUE, FROM "A"
 SINGLE FAMILY RESIDENTIAL DISTRICT TO
 "B-1" BUSINESS DISTRICT.

* * * *

d. CASE 4511 - to rezone Lot 3, Block 4, NCB 12900, 4938 East Rigsby Avenue, from "A" Single Family Residential District to "B-3" Business District, located on the south side of East Rigsby Avenue (U. S. Hwy. 87); being 112' east of the intersection of East Rigsby Avenue and Tucker Drive; having 56' on East Rigsby Avenue and a depth of 140'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be approved. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,575

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 3, BLOCK 4,
NCB 12900, 4938 EAST RIGSBY AVENUE,
FROM "A" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "B-3" BUSINESS DISTRICT.

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e. CASE 4517 - to rezone 8.888 acres out of Tract "B", NCB 13752, being further described by field notes filed in the office of the City Clerk, from Temporary "A" Single Family Residential District to "R-3" Multiple Family Residential District; 3.952 acres out of Tract "B", NCB 13752, being further described by field notes filed in the office of the City Clerk, from Temporary "A" Single Family Residential District to "B-3" Business District; and 47.064 acres out of Tracts A and B, NCB 13752, being further described by field notes filed in the office of the City Clerk, from Temporary "A" Single Family Residential District to "I-1" Light Industry District.

Subject property is located on the southeast R.O.W. of the Missouri Pacific R.R., 831.56' northeast of the intersection of Sommers Drive and Missouri Pacific Drive; having 2248.08' along the southeast R.O.W. of the Missouri Pacific R.R. and a maximum depth of 1271.56'. The "R-3" being on the southeast 890.99' of the southwest 451.30' of the subject property. The "B-3" being of the northwest 380.57' of the southwest irregular 460.48' of the subject property and the "I-1" being on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved. Dr. Hilliard seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Hilliard, Mendoza, Garza, Naylor, Padilla, Gatti; NAYS: None; ABSENT: None.

AN ORDINANCE 40,576

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 8.888 ACRES OUT OF TRACT "B", NCB 13752, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; 3.952 ACRES OUT OF TRACT "B", NCB 13752, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; AND 47.064 ACRES OUT OF TRACTS A AND B, NCB 13752, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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72-16 At this point, Mayor Gatti recessed the meeting for 30 minutes.
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72-16 ANNEXATION HEARING

The meeting reconvened and called to order at 11:15 A. M. by Mayor Gatti. He made the following statement:

MAYOR GATTI: The agenda calls for a public hearing on the proposed annexation of 13 tracts of land totalling approximately 63.38 square miles in area. Before we start with the hearing I want to present some ground rules that will be established and followed during the hearing.

First of all, the proceedings will be taped and all of the conversations will be on tape and will be transcribed for any interested citizen to purchase from the City Clerk.

We will give each person five minutes to present his or her case.

We will move on into the hearing, and we hope that each individual that comes up to the Council will present his ideas in a clear and succinct manner. We are not interested in cutting anyone off. We want people to be heard. If you have any questions of anybody on the Council, or of the Staff, please direct them to the individual Council member. In most cases the answers to these questions will be given to all of you after the hearing. We would rather keep the questioning during the hearing at a minimum. So we thank all of you for coming and for the interest you are showing in this annexation program. We will start immediately with the presentation by our Staff of what the proposed annexation is.

CITY MANAGER HENCKEL: Mr. Mayor, Members of the Council, in addition to the transcript being available to the public, each member of the Council will be sent a copy of the transcript so that any questions that arise in your mind as a result of the hearing you can direct to Staff for answers to anything that you desire pertaining to annexation. The presentation this morning will be made by the Director of Planning, Mr. Ed Davis.

MR. ED DAVIS: Mayor Gatti, Members of the Council, the area under consideration for annexation this morning in the public hearing is shown on the display map to my right, one in the gallery behind me and the same display map is out in the lobby for other people to see. As stated in the notice of the public hearing, there are 40,565.1 acres that have been duly advertised. Eligible for annexation at this time is 59.36 square miles. The advertisement covers 63 square miles because we had 4.3 square miles, or some 2,700 acres, that have been petitioned to the Council. They were duly advertised and will be a part of this public hearing.

MAYOR GATTI: The first gentleman is Mr. Homer Ziegler of the West Bexar County Citizens Association.

MR. HOMER ZIEGLER: Your Honor, Mayor Gatti, and Members of the Council, we have six speakers registered. My name got put on the top in error. I have a summary presentation, and I would like to pass and present the first presentation by Mr. Jim Legendre.

MR. JAMES F. LEGENDRE: My name is James F. Legendre and I live at 7206 Westville Drive, Westwood Village.

I am against annexation of the proposed Scott City area. For the past several weeks many inferences (not facts) have been written about this area.

1. Many people in this area work in the city, utilize the city and do not pay their share of taxes.

If you were to survey this area I think you would find that this is not true. Quite possibly those in the city come in our direction.

2. We in the proposed Scott City area utilize the city and its facilities while not paying our share of the tax burden. CPSB. The CPSB originally was not a tax burden on the citizens of San Antonio. We pay the same rates as do city residents. Fourteen percent of the total revenue of the CPSB goes back to the city of San Antonio for services. Last year that amounted to \$12,800+ dollars. So in effect this (indirect tax) is paid by those in the Scott City area to San Antonio.

We in effect do contribute to San Antonio and according to CPSB personnel are not a burden on the residents of San Antonio. I find it hard to believe that annexing our area is for normal expansion and not for herding in tax payers.

Since we cannot incorporate and since we do contribute to the city through CPSB funds, federal impact funds, etc, is it really necessary to annex this area?

You of the Council have the burden to look at all the "facts" to determine whether or not this area really needs to be annexed. This community does not fit the normal picture of people moving to the suburbs to avoid city taxes. It is unique in that it consists largely of military and civil service personnel that live close to their work.

You must seek out all the facts concerning this area before you can with good conscience, properly be responsive or responsible to us or the citizens of San Antonio.

Today people want to be involved in their future. We seek the same right and feel that all people have a basic right to vote on issues so important to their future.

MR. RAY RALLS: Mr. Mayor, and Members of the City Council, my name is Ray Ralls, I am a member of the West Bexar County Citizens' Committee, and I live at 7118 Rolling Hills which is located in Westwood Village.

The "forced annexation" of more than fifty thousand American citizens and tax payers without any consideration for their rights, raises some serious questions which this Council thus far has failed to confront. Indeed, there is a growing suspicion that this Council does not recognize that these questions even exist.

There have been ominous mutterings about "tax free" suburban communities, surrounding and draining the life blood of the city, while the inner city falls ever deeper into ruin and decay, etcetera, etcetera, but never - never a word that the remedial measures proposed by this Council, actually amount to the disenfranchisement and denial of the rights of more than fifty thousand American citizens.

Ladies and gentlemen, there are thousands of citizens living in these about to be annexed communities who are confused, puzzled, frustrated and angry. The majority of these citizens have served, or are presently serving in the service of this great country. Many of them have fought in wars, willingly and with great dedication, to assure that these fundamental rights were not denied others less fortunate than themselves.

Is it any wonder then, that they are confused, puzzled, frustrated and angry to find that they are about to be denied, by their own countrymen, one of those fundamental rights for which they fought and for which so many Americans have died.

If there is a rational answer as to: How the "forced annexation" of fifty thousands tax paying American citizens conforms to the principle which the framers of the American constitution labored to establish in this country, commonly known as the democratic process? Then we call upon you as the proponents of the "forced annexation" program, to answer the question.

Oh, we know that the city of San Antonio is permitted by state law to annex or acquire 59 square miles of "new land" per year. However, it appears to us that the criterion for selection of the 59 square miles of new land to be annexed, was to select the available areas having the greatest tax paying population. This is tantamount to treating people like animals. It is our contention that it is not the "American Way" to accumulate people like so many head of cattle along with the annexation of "new land". Ladies and Gentlemen - are tax payers really and truly at the disposition of state legislatures and City Councils? To be swapped back and forth like cattle, sheep and goats? We think not.

In fact, we think that we have the fundamental right to participate in making the decision that will influence our future welfare so drastically.

I have come here today to join with my neighbors in making a sincere demand that we not be denied the basic right guaranteed to any citizen of this great country and that is, the right to vote. We demand the right to vote on annexation.

Thank you, very much for allowing me this opportunity to speak on behalf of myself and my fellow citizens.

LARRY FESSLER: Mr. Mayor, and Members of the City Council, my name is Larry Fessler. I am a member of the West Bexar County Citizens Committee, and I reside at 7430 Spur Valley.

It is interesting and very instructive to observe the striking differences between the arguments and conclusions advanced by the advocates of forced annexation, and those brought forward by opponents of this clever little scheme. It is apparent, of course, that these differences merely reflect the fact that each group bases its formulation of the case on altogether different initial premises.

Our distinguished Mayor, for instance, appears to have developed his construction of the case from the initial proposition that suburban citizens have already feasted much too long at the breast of the city and, without any noticeable strain at all, the Mayor proceeds from this initial premise to the conclusion that it is high time for these suburban free loaders to take their turn at the milking stool. Forced annexation, he believes, is the best way to herd these heretofore tax free range cattle into the city's dairy barn. In defense of his "round-up activities" in areas well outside the boundaries of his own ranch, the Mayor cites the fact that he is empowered by state law, to add 59 square miles of "new land" per year to his home ranch. Seemingly, it ought to be right about here, where the difference between flora, fauna, ticks, stray rabbits and people might be expected to influence the Mayor's choice of which particular parcels of "new land" he wants to add to the old homestead. People have certain inherent rights under law, and under the American constitution, which are not shared by flora, fauna, ticks, and stray rabbits. Conceivably, the courts may take this point into account, even though, thus far, Mr. Gatti and Mr. Henckel appear to have overlooked, or ignored it.

By way of further strengthening the case for "forced annexation," Mr. Gatti has emphasized the point that he considers annexation of the areas he has selected "critical to San Antonio, in order to forestall the occurrence here of developments similar to those which have attracted national attention in Cleveland, Ohio, and Newark, New Jersey, with", in the Mayor's own exposition of causes and consequences, "the inner city decaying, while tax-free suburbs, which surround and live off the city, prosper." This is truly a thought-provoking formulation

of "cause-and effect" relationships, but, unfortunately, it fails to explain how it is possible that tax-free suburbs can live and wax prosperous on the decaying remains of the inner city. It also fails to make any substantial showing that "forced annexation" will, in any manner or degree, arrest the blight of decay in the inner city. The prosperity of the tax-free suburbs, Mr. Gatti's term, is, in actual fact, a consequence, not the cause, of inner city decay. The "forced annexation of 59 square miles of "new land" is not going to change that cause and effect relationship in the slightest degree.

In recent statements to the press, Mr. Gatti has emphasized that "The city may expand to cover 59 square miles of "new land" per year, under state law." The state law, to which Mr. Gatti refers, is permissive, not compulsive, it cannot relieve this Mayor, and this City Council, from its somewhat nebulous sanction. The "forceable annexation" of 59 square miles of new land is one thing, the "forceable annexation" of more than fifty thousand full-blooded American citizens has got to be an altogether different horse. The citizenship rights of these fifty thousand Americans are not at the disposition of the state legislature, or even the San Antonio City Council, to honor, or ignore, as they see fit against their will, and without their consent.

Thank you.

CLETE CARRINGTON: Mr. Mayor and Members of the City Council, my name is Clete Carrington, and I reside at 7627 Gallop Drive. I am a member of the West Bexar County Citizens Committee.

It's very difficult to boil down conditions and events, causes and consequences, allegations and facts, into a brisk summary, in which all the separate elements of important issues are placed in their proper and most meaningful relationships.

In such confusing circumstances, all the significant aspects of a particular issue, such as "forced annexation," are not at all easy to sort out, identify in terms of their proper applications, and interpret in terms of their causes, origins, and objective purposes.

The case for "forced annexation" has been developed by Mayor Gatti, City Manager Henckel, and the City Planning Staff. The essential elements of the City Council's case for "forced annexation" are:

- a. The city has a need to expand in order to foster normal growth, and in order to prevent further decay of the "inner city."
- b. The needs of the city can be satisfied only by "forced annexation" of the most highly developed suburban communities.
- c. The suburban communities marked for "forced annexation" have too long enjoyed "tax-free" prosperity, at the expenses of the city.
- d. The city of San Antonio is permitted, by state law, to annex 59 square miles of "new land" per year.

The Mayor and City Manager, and their Planning Staff, in their enthusiasm have gone well beyond the development of the case for "forced annexation", and have undertaken the formulation, of a financial forecast, describing the profit and loss aspects of the "forced annexation" program. This financial projection is thoroughly

detailed as to anticipated income sources, including a projected income of \$200,000.00 from fines alone. Altogether, it projects a clear profit to the city of nearly three million dollars, which really is a nice profit. The report does not identify the owners of the pocket-books, from which this nice profit is expected to flow.

In the final analysis, only the courts can weigh the alleged needs of the city, against the inherent citizenship rights of the people resident in those suburban communities marked for "forced annexation". We look forward to this test with considerable confidence, for "the inherent rights of the people are firmly embedded in the constitution, while "the case for "forced annexation" will be unable to rely solely on an allegation of need by Mr. Gatti and Mr. Henckel.

Gentlemen, I am here today to join with my friends and neighbors in demanding the right to vote on annexation.

Thank you.

FREDERICK L. FREEMAN: Mr. Mayor and Members of the City Council, my name is Frederick L. Freeman. I am a member of the West Bexar County Citizens Committee, and I reside at 7600 Military Drive, 119, Westwood Village.

The "forced annexation" of more than fifty thousand American citizens, by the arbitrary, unilateral action of the City Council of San Antonio, is a political process which cannot be described as "democracy in action."

It has always been our understanding, Mr. Mayor, that the democratic process is a system of political action, wherein the people have a voice in the resolution of their own affairs, either by direct vote, or through the understanding of the process, Mr. Mayor? It has always been our understanding, also, that the "democratic process" is founded on the proposition that governments derive their just powers from the consent of the governed. Is this your understanding, too, Mr. Mayor? Now, Mr. Gatti, if we are in agreement, as to the origin and meaning of the "democratic process," surely we can agree, also, that the "forced annexation" of more than fifty thousand American citizens against their will, and without their consent, is wholly inconsistent with the democratic process, and one hundred and eighty degrees out of phase with the fundamental proposition that governments derive their just powers from the consent of the governed. Have I made any point thus far, Mr. Mayor, to which you would like to take violent exception? Then, Mr. Mayor, among all the fundamental propositions, upon which the American system of government is founded, which of these propositions would you cite, as supportive of your program of "forced annexation"?

These questions, Mr. Mayor, are far more relevant to the issue of "forced annexation," than any that can, or will be asked, regarding the city's capacity, or incapacity, to provide facilities and services to more people than those whose needs are already inadequately served. They are far more relevant than cries of "alleged needs," which have been emanating, not from the citizens of San Antonio, but from the offices of the Mayor and City Manager. In fact, it is to be doubted, Mr. Mayor, that there can possibly be any question more relevant to the issue of "forced annexation," than those relating to the basic premises, out of which your program of forceable annexation arises, and the conformity or lack of conformity of those premises, with fundamental principles of American political action. We solicit your answer to these questions, today.

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It has been said, Mr. Mayor, that far more rapists go unpunished for lack of complaint than are ever brought to account before the law. Should it be your decision to proceed with the rape of our political rights, be assured that we shall complain with all the force at our command.

I am here today, gentlemen, to demand, on behalf of my neighbors and myself, the right to vote on annexation.

Thank you.

MR. HOMER H. ZEIGLER, JR.: Your Honor Mayor Gatti and Members of the City Council, my name is Homer H. Zeigler, Jr, Chairman of the West Bexar County Citizens Committee, and I reside at 1823 Westcloud Lane.

Mr. Gatti and Mr. Henckel have already indicated that, as far as they are concerned, more than fifty thousand American citizens, residing in suburban communities under the political jurisdiction of Bexar County, will not be privileged to express their sentiment, by direct vote, on a matter of paramount importance to them, forced annexation. We can only express our deep regret, that "the democratic process" is held in such low esteem by the Mayor and City Manager of San Antonio.

The West Bexar County Citizens Committee, in full confidence that is representative of not less than 95% of the citizens resident in the communities of Gateway Terrace, Hillside Acres, Indian Creek, Lackland Terrace, Meadow Cliff, Meadow Village I, Meadow Village II, Rainbow Hills, Valley Hi, Westwood Village, and Westwood Park. (All pledged to stand as one in opposition to annexation), has appeared at hearing today to express the views of our friends and neighbors in these several communities.

Through the agency of speakers, we have expressed the views of these citizens, as well as our own, on the issue of "Forced Annexation". We are as certain as anyone regarding matters of public sentiment, not established by the voting process, that we have faithfully and accurately presented the views and opinions of our fellow citizens in all these communities. We have tried to deal, as frankly as possible, with the various claims and allegations that have been advanced in support of "Forced Annexation", all of which, to the best of our knowledge, have been formulated within the narrow confines of City Hall, and disseminated by Mayor Gatti and City Manager Henckel. We have tried to show, by our arguments, that there has been no substantial showing that suburban citizens deserve to be termed "Leaches", living on the bounty of the city. We have presented our arguments against the proposition that the City Council of San Antonio can justly legislate for, or on behalf of any community of American Citizens, with which it cannot claim a direct political relationship. We have argued, also, that it does not lie within the "just powers" of a State Legislature to delegate "Legislate Powers" to a City Council. We have presented our views on the matter of City/State "Legislative Collusion", to the end that a certain few large cities may set themselves up as "Guardians and arbiters" of the rights of citizens, resident within arbitrarily defined distances from one of those "specially favored" cities. Finally we have questioned the capacity of the City of San Antonio, to provide for suburban citizens those facilities and services it has provided in less than adequate measure to the citizens already under its jurisdiction.

Gentlemen, I believe that the people are entitled to vote on annexation. In what other manner can the San Antonio City Council "Derive a just power" to regulate the affairs of more than 50,000 American citizens now residents in Bexar County?

This is our case, and I now join with my friends and neighbors in demanding for all of us the right to vote on annexation.

Thank you.

MR. WILLIAM HAIGHT - FOR ANNEXATION: Mr. Mayor, Members of the Council. I'm here representing the Taxpayers' League of San Antonio. I've often heard it said that our Taxpayers' League is against things, but I want to assure you that we're here this morning for certain things. First of all, we are for your annexation program and we highly commend you for this. We're also for tax equalization among all of our citizens and we are certainly for the reduction of our tax rates and we feel that this can be best be accomplished by more people paying their fair share of the tax load. If we are against anything in the Taxpayers' League, I suppose it would be against people who are trying to dodge their responsibility to pay their fair share of the tax load. We would also be against unequal tax load by the citizens of this community. I might recommend to the same 50,000 or 80,000 whatever the figure might be of the people who are going to be benefitted - yes, I said benefitted and not affected - by this annexation program, that they join with groups like the Taxpayers' League in order to try to work constructively for the elimination or the decrease of all unfair taxes, including, Gentlemen, if you please, this ad valorem tax which we are talking about here today. I would like to point out that the Taxpayers' League of San Antonio was very instrumental in having the State portion of your ad valorem tax thrown out completely. We'd like to feel that our voice was heard in a small way with many of the others who have recently been successful in having the school portion of the ad valorem tax declared unconstitutional. So, I am saying to you here that while we are in favor of this program so that so that taxation can be equalized in this community, we are certainly not telling you that we are in favor of ad valorem taxes because we certainly are not. We would certainly commend this Council that they start investigating other sources of revenue to support all the needs of our community, because I believe in my own heart that the day will come that, not only will the State portion, the school portion, but finally the remaining portion of the ad valorem tax will be thrown out as a very unfair and unjust type of taxation.

In conclusion, let me just say as a private citizen and not as a member of the Taxpayers' League, that I'm very proud to live in the City of San Antonio. It's a great pleasure for me to take my relatives and friends that come here to visit down to see our many historical sites, to see our Convention Center, our Hemisfair Plaza, to use your streets which have improved considerably in the 20 years that I have lived here, to use them to come to visit your theaters, and your restaurants and your parks and your museums and your beautiful library that we have. I dare say that the people that are here today who contend that they are against this program like to bring their friends and their relatives down here and use many of our facilities. Gentlemen, all we're asking is that taxation be fair and equal and that everyone pay their fair share. We certainly commend you in this program.

Thank you.

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MRS. HARRIS DAVENPORT: Mr. Mayor, Members of the Council, I think my question has already been answered by Mr. Davis. I was the one farm that was affected. Have I been taken off the list, is that true?

MR. ED DAVIS: I talked to her briefly. She identified where she is located on the map and it is not in the proposed annexation area.

MRS. DAVENPORT: My northeast boundary is Foster Road and the Old Seguin Road which is now Farm Road 78. Has that been removed?

MR. DAVIS: That puts her south of the railroad track which is the southern boundary of the large red area on the extreme east.

MRS. DAVENPORT: Well, while I'm here, I would like to say that I believe in voting on any issue that comes up in the United States of America.

MR. PETER NESS: Mayor Gatti, Members of the City Council, I'm Peter Ness and I'm a property owner residing in Camelot Area. First, let me thank you for the invitation to come to your City and the opportunity to speak before a governing body that I was unable to elect. Annexation in itself is not wrong provided the people to be annexed have the basic right of voting and stating whether or not they wish to be annexed. I would like to pose a somewhat rhetorical question to you and say can you in good conscience as American citizens pledged to uphold the principles of democracy, can you deny us the basic right of self determination by vote as guaranteed in the Constitution? Think about this. If you do annex a residential area, you will be violating the very principles for which you as citizens and elected officials wish to uphold. There's an interesting dilemma here I'd like to address particularly to Mayor Gatti because of the fact that he brought up the point and that is concerning the use of city streets, city facilities, by residents who live outside of the city limits and that is in essence I feel that it poses a dilemma. On the one hand, we are criticized for coming to your city and using your streets and recreational facilities without financial remuneration. On the other, you aggressively solicit tourist trade to promote your merchants well being, which incidently, is commendable and the visitors to the city apparently are welcome as long as they reside five or more miles away from your city. It's a rather difficult problem to resolve. I think it's something that deserves thought. I, for one, am fully prepared to spend several hundred dollars of my own monies for legal action to protect my own right to vote. I speak for myself and I'm sure I speak for many others when I say this. This action is a certainty. It is coming. At this time, I wish to relinquish my remaining time to Mr. Doss Bradford, Co-Chairman of the Greater San Antonio Citizens for Voter Rights, who will representively speak for the approximately 5,000 citizens in the Camelot area. I do have one comment to the gentleman from the Taxpayers' League. The statement concerning equalized taxes is based on opinions which he is entitled to. He should face reality though and consider the fact that taxation is based on democratic right to vote. Thank you, gentlemen.

MR. DOSS BRADFORD: Mayor Gatti, Members of the City Council, my name is Doss Bradford. I'm Co-Chairman of the Greater San Antonio Citizens for Voters' Rights. We are legally registered at Bexar County Court House. We would like you or to ask you to please examine your own minds and ask you if you can deny us, the American people, the right which we have by the 14th Amendment to vote. We, out in the

area of Camelot, New Camelot, Park Village, and the Glen took a straw vote last Tuesday, April 4. In this election, we had each person who voted of legal voting age and residing only in the area aforementioned. If you wish these books which the people signed before receiving their ballots are available to you and also the ballots for your views. The results were 1,012 against annexation, 25 for annexation, and 1 was thrown away because it was invalid because the person happened to mark both yes and no. It seems he was quite confused. Our population is 5,000.

MAYOR GATTI: I'm sorry your time is up. You relinquished part of your time to this gentleman, is that right. All right, fine.

MR. HUBERT GREEN: May it please the Mayor and Council, I'm Hubert W. Green, practicing Attorney in the City. I am appearing here today representative of Mr. Ray Ellison and his interests and the Committee for a Vote on Annexation. If it please the Mayor, I will be followed by six or seven people representing this Committee and the Ellison interests and if it is agreeable with the Mayor, and I think it will shorten the time of the hearing so far as the presentation of our interests are concerned, if the Mayor will allow me to accumulate a portion of their time.

MAYOR GATTI: Have they all signed up?

MR. GREEN: They have all signed up, yes sir.

MAYOR GATTI: Behind you, would you identify them.

MR. GREEN: Yes sir. Mr. Frank Manupelli, Mr. Frank Bradley, Mr. Frank Van Meador, Mr. Jones and Mr. McNichol. I do not intend to use all of that time.

MAYOR GATTI: They are all signed up?

MR. GREEN: Yes sir, they are signed. I've been assured of that.

Let me say, first of all, that I indeed appear in opposition to this specific annexation ordinance. This Council has already decided not to follow the procedures that would allow the people in the outlying sections to vote. Therefore, it appears to me for the moment that question is beside us, and behind us and therefore, I will direct my attention to this ordinance itself. In this respect, of course, Mr. Ellison and his interests fully supports the position of the people represented in these outlying areas, the residents, any of whom have purchased homes from him over the past number of years and you will hear from these people. You all ready have and you will, I'm sure after me hear from a lot of those people who will be potential taxpayers of the city who will express themselves personally. So, I will direct my attention then primarily to those interests that were reflected by Mr. Ellison and his company.

First of all as to the reasons for this annexation, 63 square miles an attempt by the City to take the full 30 percent permitted by the statutes of this state. Possibly one of the largest annexations ever attempted in the history of the City of San Antonio and certainly the first large annexation attempted after the 1963 annexation statute passed by the legislature. To look for the reasons for this annexation I can only look and read from and quote from the Mayor of our city as reported in the press. The Mayor is reported to have said, "If San Antonio is to progress and survive, it is mandatory that we (1) plan orderly growth and (2) that we equalize the tax burden of all citizens

served by the city." I'm here today to say that though these objectives may be laudable, in my opinion, in our opinion, this particular ordinance will not accomplish either one of these objectives. It does not represent a plan of orderly growth for the City of San Antonio, and I intend to demonstrate that in just a moment. It will not equalize the tax burden of the citizens and taxpayers of this city in that the services that they will receive from the city will not be equalized. I defer to my friend, Mr. Haight, speaking a moment ago in behalf of the Taxpayers' League. Everything he said was in platitude form. All of these things like love, mother and country, we can support these things. But, I tell you what I want to do today. I want to get down and talk about the nitty gritty of this particular annexation ordinance. Sure, we're all for equalization. We're all for fairness. We're all for these things. We can stand here and say that we are for these things. The question before this Council is whether or not this particular proposed annexation ordinance does these things. Now, let's just see if it does. If tax revenue for example are a prime consideration for annexation.....

MAYOR GATTI: Mr. Green, you have let me get clear what your program is, you've got six people including yourself. Okay, you've got one gone now.

MR. GREEN: I don't propose to use 30 minutes. I want to talk 10 or 15 minutes.

MAYOR GATTI: How about the others?

MR. GREEN: They will not. We're all putting this all together. Now, then if tax revenues are a prime consideration in this annexation plan, we say that the position of our people is that the City will be the loser. I refer to a 1960 report on the subject of Municipal Annexation presented by the Texas Legislative Council which is the forerunner in the legislature for the enactment of the 1963 annexation statutes. All right, this report of the legislative council says and I quote, "Insofar as the claim of annexation of residential property for tax purposes is concerned, it might be part of that that from a purely statistical standpoint annexations for such purposes are losing propositions." Then it goes on to cite the reasons. "Considered in this light, there seems to be relatively little motivation for the annexation of residential property for tax revenues alone." That's the report of your legislative council that gave the legislatures the means of enacting the 1963 statutes. All right, now getting down to the nitty gritty of this particular annexation ordinance I want to turn the Council's attention to what happened in the past. Let's analyze the mechanics. Let's see how we got where we are here today. I've already referred to this 1960 report. This report is complete with all of the examples of the abuses of the unilateral, that is the compulsory, annexation power of home rule cities in the years preceding 1960. This was for the reason they had two separate legislative investigations on the subject of the abuse of annexation power, unilateral power, exercise of that by large home rule cities. The legislature was up in arms about it. So this is the latest report on it. Out of this report comes the 1963 statutes. This is the statute that not only preserves the right of the city, unilaterally on its own to annex territories, but it also sets up certain safeguards for the city, certain protections for the city. Preventing bedroom burgs and so forth from incorporating within this area. Protections for the city so we don't have to do like what was done in the 1950's and like was done to a greater extent in Houston and all of these other

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areas over there. We don't have to rush out and annex every square inch that we are permitted to under the law simply to protect the city of San Antonio from something that might happen in this outlying area. You are protected under the law from that. You don't have to rush headlong into an annexation program. If you ever did the legislature says now you are protected. You don't have to do that.

All right now, beginning in 1970, and now I'll turn now to several of these maps and plats which we have acquired which comes from the city maps. Beginning in 1970, the current annexation situation was under consideration. This is a 1970 map which shows a proposal on the part of the staff of a step by step annexation proposal. Those pink areas slated from 1970, those yellow areas slated from 1970 to 76 and the orange areas slated for annexation from 1974 to 1978. A step by step plan or program of annexation by different sectors. So far as we know that particular plan or proposal was not adopted. In 1971, the city was presented other annexation proposals and the city was given a sector development annexation policy in which some member of the staff gave the city an analysis step by step of what should be done in a proposed annexation. What investigations should be made, what studies, what analyses should be made and after all of the making of those things then they set priority, you see, determined by which a stage by stage process annexation could be accomplished. We have no information that this plan, that this suggestion was ever adopted by the City Council. Now, then turning our attention to the present March 1972 annexation, I show you in the areas of green the first areas proposed for annexation. We are able to determine by the staff of this city. All right, you'll turn to the next map. You'll notice in the first one that the Babcock area was not listed. You'll notice in the next map, the second March 1972 map that the Babcock area is added. The red shows from map to map those areas that are added. The brown area shows those areas that are deleted. Here are two areas that were deleted from annexation proposal. Here in red are the areas that were added. You will notice in the second map that the Camelot area, the Camelot subdivision is one developed by Mr. Ellison. This was deleted in the second March map. All right, now turn to the third map. In the third map, which shows all in March now, it shows for the first time, here are two areas that were added. Here is an area in the Adams Hill area by Mr. Ray Ellison on the west side that is added for the first time. Here is the Camelot area which is put back in the annexation proposal. Now then, interestingly enough, at the same time, let's see what was deleted. Here is a noise zone area above the airport. Here is the area adjacent to the Austin Highway owned by a large competing developer in the city of San Antonio including the private residence of that large developer. (Inaudible) This is the final map. This should coincide with the present map that you have under study. This is the one that appeared at the time of passage of the Notice of the annexation ordinance. Even since then there have been two areas deleted. Again, another little whitling away of a residential subdivision in the north as well as this over on the west side. Now then, why do I bring these things to your attention? It is to show you within a matter of only a few weeks and within a matter of days the process by which large tracks of land have been added, have been subtracted, have been deleted, have been moved around and in the process of gerrymandering and so forth has gone on all in the space of a few short weeks in one month in 1972. Now, then let's look at the next map.

MR. SAM SNELL: Mr. Mayor, I object to Mr. Green. He's taking three times as long as any other citizen.

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MR. GREEN: Now, then what I want to show next, is the effect of the city's annexation proposal on the Ray Ellison properties. This map shows in red four big subdivisions of the Ray Ellison property in red. It also shows in green major developments of seven other residential developers all outside of the present city limits of San Antonio. A total of 11 residential developers outside of the city of San Antonio, none of whom have found it advisable to petition the city for voluntary annexation. They are now all eleven outside of the city limits of San Antonio. Ray Ellison in red, and all of the others in green. Putting this overlay down, we will show what the present annexation plan does. The present annexation plan takes all four of Mr. Ray Ellison's outside of the city limits properties. It takes not one single of the other seven shown here in green of other residential developers. With certain exceptions up here in the north, northeast, four for four of Mr. Ellison, not one single one of the other major residential developments, people who do not want in the city of San Antonio, none of them are taken by the present annexation program. We show this map shows laying aside anybody's intentions just at the moment, the result is rank discrimination against the properties of Ray Ellison in the present annexation program. That is the result and there it is in red, in green and orange on that map. Discrimination. Now, then, let's just talk a moment how we got here. How did we get here? I said a moment ago that there were two Ray Ellison properties added during the course of the back and forth, back and forth in the month of March. Two of them are added. That is Adams Hill on the west that's Camelot on the east. These were added after Mr. Ray Ellison chose to advertise in the newspapers in opposition to this annexation ordinance, immediately after. They were added immediately after the Mayor's Press Conference in which he personally attacked Mr. Ellison for his opposition to this annexation proposal.

Now, let's talk about them on the merits, Adams Hill was added in a matter of days in the month of March and that particular tract of land is not even included in the City's analysis, figures and studies and so on, it was never intended in other words by the city staff. It was added, it was thrown in at the last minute. Gentlemen, this is a little bit embarrassing for me to come here and state the facts. I draw no conclusions. I'm just here to present to you the facts on the order and the manner in which this annexation proposal has developed and what lies behind that map that you see to your left. Now, then, also how we got here. How was this city enabled to add these if right up to the limit, as you know 30 percent allowed to accumulate under the laws of Texas, it was allowed to add these Ray Ellison properties by dropping out other properties, including properties of other large competing residential developers. Now, then, those are the facts.

Let me talk about your plan of annexation now. First of all, for reasons unknown to us, this business of making a step by step study, analysis, long range plan of periodic annexation was abandoned by the city somewhere along the line. We don't know when. The city's staff recommendation of 34 square miles, originally as I understand it, was abandoned in favor of almost twice as much, the 63 square mile annexation. This demonstrates that this annexation program has been hasty. In some respects, it is ill prepared. It represents last minute giving back and forth and gerrymandering between all of these agencies for whatever reason, whatever reasons that there may be that's what it represents. Thirdly, it does not appear that there is any consistent criteria for annexation. Nothing consistent can be seen or developed from this stage by stage presentation of what's exactly going in this proposal. There's no consistent criteria. Fourthly, errors, we have

found some errors in this plan. For example, in area 7 B through G, the city staff states there are 7151 units, residences in that area. That's our area, and we say by actual count there are 5,382, the city has overstated it by 40 percent on that one study area alone, which means then that the expected income and revenue is overstated for that same amount. Likewise, in study area No. 11 A, the city says there are 1486 units there and actual count shows 1068, they've overstated it by 50 percent. Now, these are two areas that we are familiar with. We've not had the time to check out others. And therefore, I simply call for the question how accurate are the City's figures on all the remaining study areas and all of the other projected revenue and income. So that is our criticism of this proposal from the standpoint it has not been a formalized step by step, stage by stage, well studied progressive, annexation program. Now, what should be finally your objectives. Certainly you want to be fair, you want to have, as the Mayor says, an orderly plan of annexation and a fair annexation policy. I don't believe that you want to discriminate against anyone. I don't think you want to punish anybody. I think you want to get the job done as you see it and as you view it in a fair manner. But, I suggest that you have not reached that objective. That there is a difference between an annexation policy and an annexation ordinance. What you have before you today is an annexation ordinance and the city of San Antonio does not yet have an annexation policy. And I think it's a shame. I think with the leadership that this city has, I think with resources, I think with the resources, I think with all of the assets and advantages of the city of San Antonio that it is a crying shame that we do not have a current going objective annexation policy. Now, how can that help you. If you have a policy you determine in advance certain criterion for annexation, what ought to go in on the basis of objective criteria, not on the basis of personalities, not subjective anyway but objective, then you can head off the kind of discussion that we have to bring before you here today. You can go step by step and stage by stage and say that chips fall where they may whoever it effects, whoever they may be whether it's Ray Ellison or anybody else, because it is in accordance with an established policy developed over a long period of time. The city of San Antonio does not have it.

Now, then, what should you do. First of all I would suggest that this matter needs to be referred to a committee of the Council for further study and for information. Look into some of these things we're talking about. Maybe in all of the rush over the last month you missed some of these things. There may be some good reasons and some good answers and some good explanations. There may very well be. We don't know them. We don't have them. But we think its incumbent on the Council to take the time necessary to look into and to restudy it. We say that this Council should not swallow 63 miles of an annexation proposal which has been gotten up in this fashion, which has gone through this kind of metamorphis, which does not have the kind of planning and the kind of future long range planning that the city of San Antonio richly deserves and can adequately furnish. Finally, and then I'll close, let me say to you that yes, indeed, yes, you have the power, you have the unilateral power to just march all over everybody and without consent to annex whatever the consequences may be. But the legislature of this state recognized that and even after the passage of the 1963 annexation ordinance in which the legislature turned aside many suggestions to take away from these cities the right of unilateral annexation and to make home rule cities just like a general city where you have got to go and get the consent before you annex.

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They turned aside that suggestion and left the power in the city. All right, this is what the legislature council said in 1960. Should this approach be adopted by the legislature? They say that you remedy the problem by amending this statute leaving the city with this power and giving the city some protection. So, the legislature followed a recommendation. Should the approach be adopted and it was in the 1963 statute. There can be no guarantee that municipalities will wisely utilize the augmented powers that it grants them. In the final analysis, this approach, that is, the approach of the 1963 annexation statute, this approach can achieve success only through the exercise of good faith by Texas municipalities. That good faith, ladies and gentlemen, I leave in your hands. We are confident that you have that good faith that you have that intention to be fair and that upon an examination of these facts, careful examination of these facts, that you will not pass this ordinance that is before you today. Thank you for your kind attention.

MAYOR GATTI: Hubert, will you please give me the names of those people that gave up their time for you.

MR. GREEN: Mr. Manupelli, Mr. Bradley, Mr. Van Meader, Mr. Jones, Mr. Kalback.

MR. JOSE CASTILLO: Mr. Mayor, Honorable Members of the Council, I'm Jose Castillo, resident of Meadow Cliff Addition. I live on 2240 Orr Drive. I'm here to request fire protection in our community in the event that you take over Westwood Village. We will be surrounded by city limits and our community will not have fire protection after you take over. Sewer and water was the question. I ask each one of you to think what would happen in the event that some residence would catch on fire and we don't have protection. That's all we ask. We had a meeting last month. Ninety percent of our residents are for annexation within a year or whenever you wish to take over. I ask God to lead your decision. Watch your steps which you are about to make. If you give us protection, may God bless you. If you deny it, may God have mercy on your judgement. It might be a tragic moment for some poor resident - probably the death of some innocent.

MR. TED HUTH: My name is Ted Huth. I was born a resident of San Antonio. Presently I live on South W. W. White Road. I feel strongly on annexation since when I moved out there I had been outside the city limits, and I was annexed in 1953. City services still haven't reached me completely. I also feel the effects of increasing taxes in indirect manners through which many people are not totally aware of but it has taken place, over the past few years in the form of the sewer fee, the garbage fee, percentage of the sales tax, all of which go to the city. I realize it takes money to run the city, to provide services, but I've been paying for the bond issues that have been doing that period but, as yet, the city sewage plant that was planned to be completed more than seven years ago is not complete. Further, we need even an improvement in that plant that will meet the Texas Water Quality Control. That is one of the reasons I'm interested in the legislature. There are other things. I believe this is enough said today. Thank you.

MAYOR GATTI: Thank you, Mr. Huth, you're a candidate for legislature, are you not?

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MR. HUTH: That's correct.

MAYOR GATTI: Thank you.

MR. JOHN McCREREY: My name is John McCreery. I live on 139 Galaxie in Valley Hi. Good morning, Mayor Gatti, Members of the City Council, Mr. Henckel. I'm here as a concerned individual, not as a representative of any organization, faction, or committee. I'm only opposed to arbitrary annexation because what is involved here, essentially, is a basic question of American morals. The residents of the affected areas have no votes, per se, in the election of this City Council and, therefore, you don't represent us. Yet you propose to annex us without referendum. An elementary education will teach us about our revolution and about taxation without representation. The language of the 14th Amendment is not vague on the matter either. Well over half of the residents in these areas are military or their dependents. The very people we send to war and to all parts of the world to fight for our American way of life and now you propose in one decisive blow to sweep away and undermine the very American ideal you asked them to preserve. What on earth will departing military families have to say about San Antonio? Let's do it the American way, let us have the vote. Thank you.

MISS PEGGY BROWN: Mr. Mayor, Lady and gentlemen of the Council, my name is Peggy Brown. I live at 334 Dartmoor in Valley Hi, and I'm questioning what's happening here in San Antonio with regards to my constitutional rights. This is my first year as a franchised citizen and for some reason my vote is being taken away, and I don't really know why. No state legislature has the right, whatever their intentions, to pass a law in direct conflict with our United States Constitution. Is Texas so different that by crossing the State line, the 14th Amendment of the Constitution becomes mere words, to be used for the monetary gain of the city. I learned my history in government in many different states and overseas, and I have always been taught and firmly believe that no city or state has the right to tax without the consent of the electorate. I want to say right here that the citizens in my area, members of my family and neighbors, did not vote for any single one of you or elect you. I believe that you neither have the right to impose your city government on me nor do you have the right to tax me. If, when we are given the right to vote, and the residents of my area accept annexation then as this would be a democratic process I would have to accept it. And, I would like to say here something about shirking my duty as a citizen about paying fair taxes. I don't think anyone is arguing the fact that they have to pay taxes. This is part of your responsibility as a citizen. It is also the responsibility of every citizen in this country to protect and defend the rights of the other citizens. Mr. Becker understands the right of freedom of speech. At a recent City Council meeting, he said that he would say what he pleased. How is it that he wants to avail himself of this freedom and deny me my freedom of the right to vote. It's guaranteed by the same Constitution. I don't think he's living under a different one. Your generation says that my generation is thoughtless. I'm asking you to stop and think about what you are doing. How can you hide behind the state law and neglect your responsibility as an individual citizen to protect and defend the rights of every citizen in this country. Those rights are guaranteed in our Constitution and you seem to be forgetting all about it. I would like to say something else. I have been watching and listening very carefully to what people have been saying, and I think it would be very nice if everybody else would listen too. Thank you.

MR. GENARO CANO: Mr. Mayor, gentlemen of the Council, my name is Genaro Cano. I'm from Meadowcliff Addition. I've been here before. I know the people of Meadowcliff had a straw vote. It wasn't a regular election, but they voted in favor of annexation which I know is good and proper. It was held on a night I had to be in Washington, and it was held and voted and 90 percent. The majority rules and all I'm begging right now, like Mr. Castillo, for fire protection when and if you annex Meadowcliff. We'll be left alone with no protection whatsoever. Thank you.

BETTIE LEE WILSON: Members of the Council, I am Bettie Lee Wilson, 230 Stimmel Drive in Rainbo Hills. I firmly believe there is a great need for zoning and development control of populated areas, but annexation is not necessarily the answer. A far more effective means of accomplishing this is by voting for Amendment Four in November to get a good Constitution and thereby effecting a good system of county home-rule and then we will have a more efficient cooperation between city and county government. The people of the areas concerned are accused of sponging off the city by using its facilities. I believe this is an unfair assessment. We, the residents of these suburban areas, do a tremendous amount of help to support the core city. We spend much of our income within the corporate limits of San Antonio. This helps to provide income for thousands which makes the city richer which increases the tax value of the city which gives City Council more money. Some of our expenditures go directly to city sales tax. Also, our utilities are paid within the city. A very significant percent of the residents of these suburban areas are military personnel and their families. San Antonio depends heavily upon these people because of the business they provide, personally, and because the military installations themselves with their civilian contracts and the thousands of civilians they employ. These people earn money from the federal government outside of the city and spend it in the city. Taking this into account, the city's proposed action seems to be pure greed. We are well satisfied with our county services. On the top of the list includes police and fire protection. Would it not be to the city's advantage to annex undeveloped areas so that the city can determine the development of these areas. I find it hard to believe that an elected governmental body can, in good conscience, dictate the lives of thousands of people that they don't represent and who do not wish to be governed by that body. It does not seem advantageous to the city and its metropolitan area for the main governing body to act in a manner that is so contrary to the will of such a great number of citizens. Thank you.

A. H. LUMPKIN: Mr. Mayor, Members of the Council, Fellow Citizens, I appear before you today to plead that you defer annexation of 21 A and 21 B set forth in study area 21 prepared by the City Planning Department with assistance from other City departments. That, Gentlemen, is in the northwest part of Bexar County, and as you see, it's ranch land. I was somewhat surprised at the previous speaker who said that the thing for you to do is to annex vacant land. Area 21 A contains 1.73 square miles and, that is, to say it contains 1107 acres of land. Area 21 B contains 1.89 square miles that is to say it contains 1209 acres of land. Together 21 A and 21 B contain 2316 acres of land. The study shows that there are 58 dwelling units in 21 A and 32 dwelling units in 21 B. Of the 58 dwelling units in 21 A, 48 families live in a Trailer Park comprised of 40 acres situated at the southwest intersection of East Hausman Road and Babcock Road. That's Mr. Cummins' property. Of the 32 dwelling units at least 22 of the families reside on approximately 150 acres to the east of Hausman Road south. Those are five acre tracts. The remaining 2166

acres are comprised of small farms and ranches ranging from 18 acres to 550 acres. On at least three of these farms and ranches the dwellings of the owners are off the paved roads by one-fourth mile to one mile. The study shows that the contemplated initial capital expense on these lands is \$2,239.00 in 21 A and \$2,560.00 in 21 B. That's the long range capital expenditure is zero. Refer to the plat. That the taxes to be paid each year is \$78,490.00 that is to say that the average tax per year per acre ground including improvements would be in excess of \$34.00 per acre.

The homes on the ranch lands with one exception are old and inexpensive components frame homes. Some do not carry hazard insurance in ordinary stock insurance companies. Mr. Waller told me last night that he didn't carry any insurance at all. We assume that the initial expense referred to in the study is for handling the assessments and collecting the taxes. It is possible that some of the operating expense is allocated to police and fire protection, neither of which is desired or necessary for the lands involved. In 15 years, I have heard of only one burglary of a home in Units 21 A and 21 B. The property taken was nominal and was probably an inside job. As to police protection we have a sheriff, who patrols our roads at night, the constable of our County Precinct, the highway patrol and game warden. As to fire protection we are amply provided for by the Helotes Fire Department which is maintained and inspected by the County with the aid of the local people to which we contribute. As stated in the study there is no contemplated long range expenditure, I assume that there is to be no water, no gas, no sewers, no power lines furnished and laid along either F.M. 1604 or the Hausman Road adjacent to these lands.

I am frank to say that none is needed or desired by the owners of these properties. The cost of connecting with such accommodations by the farm and ranch owners would be prohibitive because of the long distance of their homes from roads mentioned. In addition, every home has its own adequate water supply, with generally more force at the faucets than the city can give. Every home has its own gas supply and its own electricity. My own electric power line cost nearly \$1,000.00 and my water well and equipment cost nearly \$2,000.00. We also have our own garbage pickup and sewage disposals.

It is little wonder, gentlemen, that we think that all you can furnish us or expect to furnish us is an annual tax statement in a prohibitive amount. So, we again plead with you to defer annexing our lands to the city of San Antonio.

No owner of property in 21 A and 21 B plans to develop his land for residential or business purposes. The average owner of these farm and ranch lands does not have sufficient income to pay city, school, state and county taxes. They have no alternative except to sacrifice their lands to the wealthy speculators, who can hold such lands until conditions warrant the developing of such lands for residential or business purposes.

In another day, in another application, Robert Burns said:

"The great, the wealthy, fear thy blow,
From pomp and pleasure torn."

Today, I paraphrase the statement as follows:

"The great, the wealthy love thy blow
As the poor are from their farm and ranch homes torn."

I wish to further call the attention of the Council to holdings of our Appellate Courts involving the formation of towns and cities. In one case, our courts held that where a town included 75 percent ranch lands, the incorporation was invalid and void. While our annexation statutes are silent as to whether such amount of farm and ranch lands may be included, I believe the same rule should apply. The purpose of annexation is to help the people. It is not to arbitrarily tax their properties, which are undeveloped for residence or business purposes. What has been recommended to you may be likened to the annexing of an oil field for purposes of collecting taxes.

If brought into the city the farm and ranch owner is technically denied the right to raise livestock and poultry. He cannot use firearms. He cannot lease his land for hunting purposes.

I have noted the following in the "Objectives" of the recommended "annexation procedure":

"Annex only where full range of services can be provided in a reasonable time."

"Annex only where people can afford the taxes."

"Annex only where people can utilize the services provided."

With the long range capital investment by the city at zero, it is clear that the city does not plan to furnish public utilities to our neighborhood equal to that of lands nearby already in the city.

It is little wonder that the average man feels that in annexing 21 A and 21 B as a whole, the Council will act in disregard of the just rights of the land owners and the overall plan of annexation.

We have a legal maxim:

"The power to tax is the power to destroy."

How well this applies here. Please defer in 1972 the annexation of 21 A and 21 B. Please allow me to file with the Clerk this statement, together with 84 signatures to letters requesting that annexation of our properties be deferred.

(A copy of Mr. Lumpkin's report and petition signed by 84 signatures is on file with the papers of this meeting.)

KEVIN WILSON: I'm Kevin Wilson. I live at 230 Stimmel Drive in the area known as Rainbo Hills. I would like to address the City Council on annexation. I firmly believe that there is a great need for zoning and development of populated areas in this country. But annexation is not necessarily the answer to this need. A far more effective means of solving this problem is by voting for Amendment Four in November, to get a good Constitution and hopefully, in this Constitutional revision we will have county home rule which will aid in cooperation with the county and the cities. However, for this particular ordinance that we're here to talk about today, I am against it for three reasons. First of all, I don't want to live under city government of San Antonio. I'm perfectly happy living under the county government that I'm under. Furthermore, I feel that it's unfair for me to be placed under this government if I do not vote to be done so and the people that are in my area vote also. In other words, I feel like I should have a political voice in the matter.

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The same goes for the taxation by that city government and the point has been well made, if the Council has been listening today about taxation without representation. Also, I do not feel that I owe the city any tax money to help pay for services which I use. I feel like I am the same as a tourist which the city actively solicits. I live, work, vote and pay taxes outside the city but come to San Antonio for recreation and to spend my money, including city sales tax. The city does not spend any money on providing services to my home area. The reason I say that is that any services that the city provides me are reimbursed. The county gives the city rebates for library and health services. The City Public Service Board which the county residents help support give the city a rebate for the help that it receives from the city. There are other sources of revenue which I indirectly pay to the city. The city would certainly not call the many people who come to San Antonio as tourists - they would certainly not call these people parasites.

Also, the City Council and various city officials have told us the areas that I live in that they will provide services such as fire protection, police protection, sewer et cetera. Based on my experience, I have seen promises and statements made by the City Council and seen the results of these statements.

I have no choice but not to believe all that you say. Furthermore, If I am annexed into the city and become a citizen of the city and given the right to vote in city elections, I will exercise that vote, and I think you can see which way I will exercise it.

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JIM UPTMORE: Mr. Mayor, Mrs. Haberman, members of the Council, I'm Jim Uptmore and I reside at 7902 Robbin Rest in San Antonio, Texas. I came to San Antonio approximately 20 years ago and was stationed at Lackland Air Force Base and lived for a short time on the base. I have lived in the City of San Antonio for approximately 19 years. My wife and family at this point still live with me. We have enjoyed being a part of this city. We have enjoyed having the benefits that the City has provided. For a number of years I have been involved in the development of areas outside the City Limits and inside the City Limits. It has been a pleasure to have worked with your various city departments, your Planning Commission, the City Council, and all of the various departments. Some years back, we became quite concerned, and I am concerned today, that the City of San Antonio has grown in a northerly direction. We feel that there has been some discrimination against the east and west side of the City, because it grows continually northward. We are also concerned that the City of San Antonio, as of this year, has some 87,000 people living in the outside, just outside, the City Limits of the City of San Antonio. If you project, based upon the construction that's going on in these areas, in 1980 you will have 350,000 if the City does not have an effective annexation plan. We too have property that we are developing outside of the present City Limits of San Antonio. We offer our people private garbage collection, private water systems, private police force, a volunteer fire department, but we feel we are not doing for those people the thing that has been discussed most of all here today. We think that it is beautiful that these people have stood up here and said they want the right to vote. And I think that by your determination and by your presentation of this annexation plan, that you are posing to these people the thing they ask for most and that is the right to vote in the City Limits and in the City of San Antonio and in the City elections and consequently may have the chance to elect you again or some other person to the City Limits. And I don't say this facetiously, because I've heard that "if you annex us, we'll find another City Council". Well that's fine, that's the free will of the people. And I think that really for these people that I talked about before and I'm talking about the people who we're developing property for and who we are proud to have as residents of communities outside the City Limits of the City, that we think that they should enjoy paying for the proportionate costs of all of the facilities they enjoy. We know, too, that if we wanted to have a meeting we could arouse at least a thousand of these folks who are going to be annexed on May 28th and we can have them all poised before you and ask that you not take them into the City. I want to make one last comment and that is to compliment you for being brave enough to say you are gonna annex part of Bexar County. Thank you.

DONALD BYRNE: Mr. Mayor, members of the City Council, my name is Don Byrne and I reside at 5522 Crystal Valley, in the Valley Forest addition of Valley Hi. I'm here today to voice my opposition to the proposed forced annexation. In the history country people have time and again opposed taxation without representation. Council's action to annex without regard to the opinions of those affected in my opinion, borders on what the American Revolution was all about. When I'm talking about those that are affected, I'm talking about those who are less fortunate than us that can come here this morning to take time from their jobs to speak to you. This is my main reason for the objection to annexation. I will list a few more. I call it an insult to be told that I sponge off the City. I spend a majority of my income in businesses within the City. I support various organizations within the City with my contributions. You have listed all the good improvements we would receive, police and fire protection, streets, utilities, etc. How can you promise these things when it has been reported that you cannot or have not provided services to those portions of the City that have been

annexed for some time now? The only benefit that I will receive, as I see it, will be the right to vote in the city elections. I am duly registered in Bexar County, and I intend to make my opinion heard against any representative who would force taxation on me without due consideration. Thank you for your attention.

MR. RON KING: Mr. Mayor, Members of the City Council, my name is Ron King. I live at 6831 Westwood Drive. I am against annexation primarily because the City of San Antonio cannot give me or my family any better protection, police protection, fire protection any better streets or any better lighting than I have at the present time. The reason that I know that they can't is because I have lived in the city limits of San Antonio at 612 Briggs on the southside. It's just off Military Drive. In that area of town they still have dirt roads, no street lights and the fire protection and police protection are no better than what we have in Westwood Village at this time. Another reason is everything I've heard the city say about annexation is how many miles, how many acres, how much money they're going to make, not the people that live in these miles and acres. Thank you.

MR. ROBERT KLIER: Mr. Mayor, Council members, my name is Robert Klier and I reside at 17010 Klier Oaks, Oak Haven Heights. I represent the Oak Haven Heights Homeowners Association. We are against this annexation. We are in full agreement with the people that spoke previously against this thing because we have not had any say so in this area. But, let's talk a little bit about the services you are going to offer. You say you are going to give us garbage, police and fire protection. This is really all you can offer us right now because the City boards, Electric, Gas and Water Boards, are not part of this tax dollar that you are asking us for. Now, I'm going to take up fire protection because it's real close to home to me. I live approximately a half a mile into Oak Haven Heights which is right off San Pedro. We have a fire station within that same space of mileage. In fact, the distance from that fire station to the furthestest point in Oak Haven is exactly one mile. The fire station that you are offering us is Station 31 on West Avenue and Blanco Road. This is exactly five and one half miles away. Might I ask you now. Do you call this fire protection? As far as the sewage goes, we had a meeting with a man from your Planning Commission Monday night and from what I can ascertain from what he said, it will be at least five or ten years before we see a sewer line out there. Now, we have to go a little further. We've got approximately 100 homes in that area. These people are all individuals, build their own homes, chopped them out themselves and some of them even built them by actually doing the nailing. There is no major subdeveloper in this area. We are all individuals. We definitely feel that we should have the right to say, how are you going to spend our money? We earned that money, not you. The county, on the other hand, supports us very well in our services. They give us law enforcement which is adequate. We don't have anything to say against it. We haven't had to use it too much, thank God. We haven't had too many fires out there, admittedly, however, we do have a brush problem. And this brings up a very important point, we have a park out there that's been deeded to the city since probably Oak Haven has been there, and we are wondering what you'll do with it. As far as garbage collection services go, it costs us exactly \$36.00 a year for the best garbage system I've seen yet. I've had my same garbage cans six years. We would then sound a little bitter. We are because we feel we are responsible citizens and that we do have the power to say in our own destiny. Therefore, we have to join in our feelings with the other affected people in their

feelings towards the 14th Amendment positions. I would like to direct your attention to something that was in the paper last night that deals with Missouri and Michigan. I know this is not what we're talking about. This is San Antonio. However, they are also American people. There the courts it was reported, declared unconstitutional the forced annexation. I wonder if that applies here. Thank you.

MR. SOCHIA: Your Honor and Mayor, Members of the City Council, Ladies and Gentlemen, I appear here as a property owner in the proposed annexation proposition. I do not represent a special group at this time. I have in the past, however, appeared before this Council approximately one year ago when the same issue came before the Council for consideration. Different people have taken different positions on the City Council since that time. I listened diligently to the economic argumentation about annexation, and I believe that each side of the issue has much to say in terms of whether or not annexation should take place from an economic point of view or not. I would say, however, that the Mayor has done a disservice to the city in this respect. In that, he's deliberately mislead the inner city people in regards to what annexation really is all about. I mean by that, that he made the allegation that funds of \$5.4 million would come from the suburban area and that an expenditure of \$2.6 million would take place from that fund and the end result would be that there would be a net profit of some \$2.5 million or more. Now, I don't believe that's the American way. Now someone's said and I believe again it was the Mayor, because he seems to be the spokesman of this group, that it was somehow wrong, parasitic, I believe was the word or leech, for the inner City to take a position that the outer City or suburbanite should be supporting more adequately the inner City. I say that this position taken by the Mayor on an economic thing is in exactly directly opposite to that original proposition and that is, you shouldn't be taking advantage of the suburbanite for the urbanite. Now, secondly, I happen to be an American citizen and I happen to be a professor of history at one of the local colleges. I happen also to understand that there is a historical precedent for what you gentlemen are about to do and Miss Haberman. Now it's interesting when I look up at Mayor Gatti, because I have to look up at him. I'm a little short on this rostrum here. I see here a very definite similarity when a gentleman named King George III and I see some similarity among these other gentlemen collected at the podium here with the privy Council that was in existence in England in 1760. And interestingly enough, these people had about the same proposition to hand to the American colonists as you have to hand to suburbanites of San Antonio and that is to tax us without having proper representation. Now gentlemen, in 15 years, because of the persistence of King George III and the privy Council, we had an American Revolutionary War. Now the reason for it was very, very obvious. The American colonists, the suburbanites of England, thought they were being misused and mismanaged by the urbanites in England. Now the analogy may be facetious, but the principal is the same and that is none of us in the suburban area should be tied to this issue of annexation until we've had a voice in the proceeding. Not a single person. Now the way you do that is not by an action of this City Council, but by referendum of the people affected. Now that does not include the inner City.

CLAYTON RUSSELL: Mr. Mayor, members of the Council, there's been a lot of talk about democracy. This government is not a democracy. This government is a republic. Who in here, which one of you voted for 18, 19 and 20 years old to vote. None of you. You elected representatives and sent them somewhere as republic they put a constitutional amendment and then certain states ratified it. You, individually, did not vote. I come from Oklahoma and a lot of strangers here. I live in Villa Coronado at 1430 and I'm for this annexation all the way because I want us to be big.

When my father was in the Oklahoma legislature, they killed a certain bill. He said, I can pass it. He did. He initiated it. Got an overwhelming vote. They took it to the court and the court said this is an expression of public opinion. It is not a law. They said they had some votes. They can have some more. But the Constitution of the United States, the Constitution here, gives you the authority to take them in or not take them in. I live in Villa Coronado and I say, specifically, that I wanted Lackland taken in as far back as 1967 because we are a poor area. Now I'm poor myself but I have a millionaire sister that helps me, and for that reason Lackland can help out. I'm not talking about all the areas but Lackland can help balance the economy. Mr. Wilson came but he didn't quite understand. He was in his uniform then but I say the Army is notinaudible. I served 5½ years in the Federal forces, in the Virginia National Guard, the Oklahoma National Guard and the purpose of all military purpose people is to protect the citizen so that they should not be a separate unit, and my sister that I just mentioned, Margaret Black, in Lawton, Oklahoma, as leader of the business and professional women. One year they got \$10,000 for entertaining foreign servicemen that were trained at Ft. Sill to help overseas. We can go forward and if you pass this annexation all the way, we'll be the 9th City in the United States, and then we'll really be a big boy. If they really want to come to vote, they have the vote and they can vote for or against you and I like a fight. Thank you.

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EDWARD DAVID SEPULVEDA: Mr. Mayor, my name is Edward David Sepulveda. I live at 522 Valley Park in Westwood Park. Mr. Mayor, City Council, I am violently against your proposed intentions to annex our homes into your City limits of San Antonio. I am opposed to annexation because my annexed area will not justly benefit from it. You will only be taking our hard earned dollars and cents for a few projects in other parts of San Antonio that you cannot accomplish on your over spent tax dollars. Projects we hear in our area do not need no way, shape or form. What makes you think you will not over spend again? Then you will need more money. Then what will you annex, Laredo? Furthermore, you will only be robbing from us for the sake of looking good from the fine citizens of this City who are totally unaware of this criminal act that you are doing. Criminal, I reiterate because you know only too well that the majority of the great citizens in West Bexar County said on the subject of annexation without a vote. Many families in this area, Mr. Mayor, I for one, cannot afford to handle with \$10, \$15 or \$20 a month to satisfy your lust for money. You have no honest intentions of using our tax money exclusively in our area. Our money will be used elsewhere. I don't go for that. San Antonio is a beautiful City with pride. Don't ruin that image by having it leeches on the suburbs like an old age lady who cannot support herself. San Antonio cannot lower itself to resort to that, can it? Annexation is only for your greed. In conclusion, I want to say we in Bexar County do not wish to have the City forced on us like Nazi Germany on Poland. Leave it to the people Mr. Mayor, the choice to be or not to be part of San Antonio and without doubt they will show you in great numbers who would rather be free than annexed to thee.

MAYOR GATTI: Only God is next to me now.

RUBY O'BRIEN: I would like to give my time to Mr. Bradford.

MAYOR GATTI: If he signed up fine, but if he hasn't. He already gave his up. He gave it up to Hubert Green.

UNKNOWN: Point of order Mr. Mayor.

MAYOR GATTI: Point of order?

UNKNOWN: Sir, when I had my time(inaudible)

MAYOR GATTI: No, I'm sorry. We are trying to be fair but we are not going to get mixed up in semantics now. We will have next, Mr. Huff, do you want to talk, does the lady want to talk? Huff, that's what I said.

MRS. ALICE HUFF: I'm Mrs. Huff and my husband is retired military. We retired last year back to our home we bought 12 years ago, and we have no other income except our retirement pay. In our home, where we are now, with no additional taxes we can make it fine, but with the additional tax, less police protection, less facilities that we can use, we can't make it. So, we would be forced to move out of this area which means that we would be leaving Texas period. That I wouldn't like so I am against annexation.

GEORGE W. ROLLOW: I am George Rollow. I live at 2223 Palomino in Lackland Terrace. I've been a citizen of San Antonio in the area all of my life. I've never been in the military. I feel like that since we moved out into the County, that's where we have preferred to live and we don't feel like our right to vote should be usurped and taken away from us to be annexed at least without our say so. Thank you.

SAM SNELL: Mr. Mayor, members of the City Council, my name is Sam Snell, and I claim dual citizenship. I live here in the City, 7619 Woodhaven, and I also have a place up near Helotes, Box, Route 125. Now usually, I appear before the Council to talk about my favorite subject against parking meters but today I am here to talk for annexation. The next time I come to talk against parking meters, I hope that you will allow me the same privilege that you allowed Mr. Green today, and I'll bring my staff over here and register them all and let them yield to me and I'll speak for an hour.

My family and I own two tracts of acreage, one is 70 miles from the nearest City and for the past 20 years has been worth only \$15 an acre. The other acreage is seven miles from San Antonio and in the past six months has gone up in value to \$1,500 an acre. The reason one tract is worth one hundred times more than the other is because the more valuable one is near San Antonio. I appreciate the value which San Antonio has given this acreage. To insure its continued escalation, I look forward to the day when it will become part of the City of San Antonio. The most vocal critics of annexation, oddly enough, are the very ones who have profited so well from the economic nutrition which flows from the City. Yet those who have benefited so well are reluctant to share the responsibility of helping our City prosper. Westwood Village, or Camelot, or Valley Hi could have been built much cheaper and with a hundred acres to a home had the developers selected a site further out in West Texas where surface land goes for only \$15 an acre. But of course they were wise. They were wise developers and they chose to locate as close to San Antonio as possible and they have done well because of it. They do, indeed, love the economic juice which flows because of the City, but they are not for the responsibility of citizenship into the benefactor, City of San Antonio. If the saying is true that where lies your treasure there lies your heart, then critics who are reluctant to become San Antonians should in reality be knocking on your door yearning and requesting to come in. Now for the health aspect of annexation. The area to the northwest is fast becoming one gigantic septic tank. I know....

MAYOR GATTI: Gentlemen, we've given the same courtesy to the against, we would appreciate it if you would do that for the for people.

MR. SNELL: I happen to know that it's true because our family homestead is just two miles from Helotes. What we flush down our commode will in time, if not checked soon, will flow into the water faucets of San Antonio. The truth of the matter is that all Bexar County should be made a part of San Antonio. We can no longer physically or economically afford to allow parasite communities to border our City reaping the benefits from San Antonio but assuming none of the responsibilities. I urge for annexation.

MRS. J.R. HENEFEY: I'm Mrs. J. R. Henefey. I live at 7919 Campfire in Lackland Terrace. I am against annexation because I use to live in the City of San Antonio, and they couldn't offer us anything. Our house was robbed. It took the police exactly one hour to get there. Out in Lackland Terrace it took the sheriff ten minutes. They can't offer us any garbage service that we've already got. It took the City of San Antonio garbage service three months to pick up garbage off the streets. Limbs, it takes our water service eight hours to pick it up once you call them. I just can't see what you all can do for us.

JACK HENEFEY: I'm Jack Henefey and I live at 7919 Campfire in Lackland Terrace and I can't see where you all have any right to take us into the City without giving us the right to vote for it. It just doesn't make sense to me. I served in the military and everything else, Vietnam, Korea, and we're over there fighting for people to have the right to self-determination but yet you won't give us that same right. That don't make sense at all.

J. R. LINCOLN: Mayor, City Council, my name is James Lincoln, and I live at 5291 Roundtable. I would like to say that I am against annexation. In the past I have resided in the City of San Antonio and I enjoyed the services of the City of San Antonio, and I use the term "enjoy" loosely. I personally have a business in San Antonio. Sitting here listening today to the different people speak and to the different points to be brought out, my personal feeling is that I'm truly appalled at the obvious discrimination against a particular builder here in San Antonio. Also, I would like to ask for the right to vote in regard to this annexation question. I feel like that, our forefathers including Abraham Lincoln felt the same way that I do in regards to the right of people to vote.

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These are the rights that we are asking for today. The right to vote. If we are annexed, if forced annexation is pressed on us, then I just don't feel the City of San Antonio has the right to do this. My plea today is to listen to the voices of the people. Give the people who live in these areas the choice to be annexed or not to be annexed. If I could I'd like to read a petition that has been circulated. "No government in the United States has the power to dictate or exercise power over people without the consent of those people so affected. We the undersigned therefore believe that every citizen regardless of geographical location has the inherent right to self-determination as guaranteed in the 4th amendment of the United States." In here we also have 1,432 signatures from the City of San Antonio and outlying areas. This petition has been circulating since the 3rd of April. At least one third of the signatures are from the City of San Antonio. They are contained here. Now I ask, sir, that you do give us the opportunity to vote on this matter, and that you listen to the voice of the people. If you don't listen to the voice of the people that I highly recommend in the opinions that I have heard both within the City limits and outside the City limits and those people who are going to be annexed, I highly recommend that you presently enjoy your term of office.

ANA DAVIS: Mr. Mayor, Mrs. Haberman and gentlemen, my name is Ana Davis and I live in 7711 Stagecoach in Lackland Terrace. I came to this country 15 years ago. In the country that I left behind, we don't have many rights. We don't have hardly any freedom. So, I was very happy and very blessed that I came to the United States. The country I left behind is so bad that I remember one instant when my father was against the government of the state. He was a crook, of course. My father was against him. My mother wouldn't let my father go to the streets after dark for fear of being shot in the back. So when I came to this country, I admire and I bless the great freedom that Americans have. I could not believe it. How could it be possible to speak your rights and not be shot in the back? I see the Americans or at least I thought they were the luckiest people in the world. But now that you want to take our rights, my right to vote, and my right to choose, if you have to take them at least give me one thing, a paid up ticket to go back to Mexico.

ALVIN E. KLAUS: Mr. Mayor, Mrs. Haberman, Councilmen. I am from the disputed area on the Westside of San Antonio, known as Westwood Village. My address is 7038 Coral Tree Lane, and gentlemen I am opposed to this annexation from the standpoint that I am not given the right to vote. 50,000 of our young Americans died in Vietnam to assure those people over there of that right. Many of those people never heard of the right to self-determination. Consequently, I have heard of it and I would like the right to express that opinion here in my own country which I gave 20 years of my life to insure to everybody. This is my registration. My right to vote. Gentlemen, in this case I would like the opportunity to use this little piece of paper and allow me the opportunity of self-determination.

MRS. WILLIAM B. LECZNAR: Mr. Mayor, members of the City Council. I'm Mrs. William B. Lecznar. I live at 2731 Castanet. I speak for myself and for very rare occasion my husband said I may speak for him too. We have lived in San Antonio, oh off and on, for most of 25 years. During that time we did live briefly in Denver and briefly in the Boston area. So we have had some experience in cities that are ringed like a choker with satellite suburbs. One of the things that we noted is that what developed is this great antagonism not only between the core City and the suburbs, but the suburbs themselves don't get along very well. I can cite you several instances of problems that might have been solved if there had not been these long years of distrust and antagonism and enmity that build up in these situations where you have the chronic suburban. We have had some of this sort of thing here but, fortunately, not as much as I have observed elsewhere. What developed here instead, though, is that we get a great number of special purposed districts, and I'm not talking about regional districts, but these small special districts which are created to give a service in a very limited area.

There are a lot of disadvantages to these districts but the main one to my mind is the fact that they tend to provide substandard services. We have sewage treatment plants who are putting substandard effluent into our public streams. We have water systems that need upgrading. We have W.C.I.D.'s that do nothing, but are organized only to collect garbage. There's nothing more special purpose than a garbage district. We wonder if the people who want to set up their own towns on the brink of our City have really figured out how much it would cost them to set up a good utility system, their own garbage collection, their fire and police protection, their municipal administration. We question whether they would really save much in taxes. Proliferation of satellite municipalities and special districts is not an acceptable solution for the problems caused by rapid urban development. As long as our legislature refuses to grant counties in Texas the powers they could use, I am ever hopeful but I don't count on it. The only responsible answer is for the City to have an annexation powers that it does. Now magnifying what is always a difficult thing to do right now is the fact that San Antonio for so long has neglected an annexation program. Except to take in the areas that were not going to resist. This year's addition should be the first step in a long term continuing year by year growth process. It may be if we don't do this so seldom, it won't always be such a sticky wicket. In closing, I would like to plead with you not to let the specter of annexation fights in the early 1950's deter you from exercising your good judgment. At that time Council-Manager government was still on a very tenuous ground and though the fight was bitter it really and truly was just the top of the iceberg in what was really a deeper power struggle. To be sure there are many who have vociferously been here in great numbers opposing this move, but I firmly believe that there are many more of us even though we may not be here today, who believe in your efforts to build a strong, viable City and I believe that many of us are going to stand by you.

MAX VOELCKER: Mayor Gatti and Councilmen. I own an 828 acre ranch north of the City which some of it I am told is being put in the City. I don't want to be annexed at this time. There is not another resident in the neighborhood. The land is used exclusively for raising cattle. All I would get out of it would be a City tax bill. On the south of us, between the City and I, is 480 acres of raw land that is ready for development. It should be developed first. It's used for cattle raising as far as I know. On the East side across Blanco Road, by the way I live on the banks of the dry Salado on Voelcker Lane, been there all my life, 75 years this coming August. There's been lots of changes. In the surrounding land, is another 1600 acre ranch across the road, the Ganal Ranch, used only for cattle raising. Likewise to the North, is all ranch land. I don't think you'll find a dozen homes between there and Shavano Park is an incorporated place itself, but all the way from my ranch to Camp Bullis is but one house that I know of. I think at the presene time is wrong to annex me because it takes time to develop. One hundred acres will take about ten years to develop. Thank you.

MRS. NANCY RICKS: Mayor Gatti and Council members, I'm Mrs. Ricks. I live at 7831 Bronco in Lackland Terrace. My head is full of many, many reasons against the annexation. You've heard so many today and the time is very important. Since you've heard so many and I could take all day and half the night I just would like to say that for the many reasons that you have already heard I am against annexation.

MAYOR GATTI: Thank you, bless you.

MRS. THOMAS BROWN: Mr. Mayor, Mrs. Haberman, Gentlemen of the Council, my name is Mrs. Thomas Brown. I live at 334 Dartmoor Drive in the Valley Hi North. I am a registered voter in the State of Texas and have been for serveral years. I am not from Missouri, but I say show me. Show me that you can do for me what you should have done for the City of San Antonio. Show me that all of your areas have adequate fire protection, all of your areas have adequate police protection. Show me that your streets are paved and that you have street lights. I am not stupid, gentlemen. When you can do for me what you should have done for the City, then I'll say fine.

I have no objections to being annexed. I am not against you per se. I am against not being asked. I am against being told what is good for me and I would like to know at what point in your career each one of you successful gentlemen decided that the end justified the means. When did you decide that the economic development of a City overrides constitutional and amiable rights of the individual? You never came out and said would you, you said you will. I object, and so does everybody else. You would if Dallas said we are going to annex San Antonio because we need their money. You would scream. Many of your citizens say if you didn't like what San Antonio is why did you come here. Most of us came here on military orders. The men came on orders, the women followed them. Many of us stayed because we were here long enough to set up roots for our children. I don't feel that the people who come here on military orders are parasites. I don't think you should regard us that way. One of your Councilmen worked at Kelly for years and years and years. Does he feel that the people at Kelly are parasites because they choose not to live in the City limits of San Antonio. At what point did each one of you decide that the laws that gave the right to be successful in your own profession or business could not be dispensed with. Haven't the events of the last couple of months where minority groups are screaming "give us our constitutional rights." Haven't they made you stop and think. Do you really think that the \$15 a month is enough to make 50,000 people say to you or asking you for a right. Stop and think before you take it away. Before we came down here this morning, everybody talked, everybody gave their own view points about money, police and firemen. I happened to pick up a book that my family has carried with us even overseas. The Constitution of the United States.

MAYOR GATTI: Thank you Mrs. Brown.

LADY: She has five more minutes(several speaking saying she did have five more minutes)

MAYOR GATTI: Oh, I beg your pardon, please come back....well might just as well get it over with now.

MRS. BROWN: Democracy in action. This is a copy of the Constitution and on the back it says, "Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the revolution never to violate in the least particular the laws of the Country and never to tolerate their violation by others that the patriots of '76 did to the support of the Declaration of Independence. So to the support of the Constitution and Laws, let every American pledge his life, his property and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father and to tear the Charter of his own and his children's liberty. Let it be taught in school, in seminaries and colleges. Let it be written in primers, in spelling books and in almanacs. Let it be preached from the pulpit proclaiming in legislative halls and enforced in courts of justices. And in short, let it become the political religion of the nation and in particular of reverence for the Constitution." This, gentlemen, was written by Abraham Lincoln. I don't believe that it's too late to stand in front of you and say you are an elected group of officials. You still have the right to say perhaps we misread the motives of the people who oppose it. Perhaps these people honestly and sincerely believe we are violating their Constitutional rights and, in that case, let us stand up and be counted. Let us say all right. If you feel we are violating your rights, don't feel you must take it to a Federal Court. Let each one of you as an individual citizen make your own decision. Are you or aren't you? And if so many of us feel that you are, isn't it worth at least a statement from each of you that you have honestly looked at this phase of the problem. If you can show us that it is good for us as it is good for you, we will vote with you. I want the best there is for my children whether it's the best police protection, the best fire protection or what. I don't like being called a parasite. I don't like being called a leech. Perhaps in my life time I'll be called worse than that but the thing I want to be called is an American citizen not afraid to stand up and fight for the rights of every other American citizen and I don't feel you are doing it. I am scared to death standing here. I am sure you can tell.

MAYOR GATTI: You are doing beautifully.

MRS. BROWN: But I don't feel that I have to apologize to anyone for being worried that at this place and this time in San Antonio any one individual or any group is starting to take away another Constitutional right. I have watched as the laws have been tossed aside in the last couple of months. I can't honestly say that I agreed with the decision of the Supreme Court on every one of them, but I stood back and I said if that's the way it has to be, it has to be. Why can't you do the same? Why can't you say, if you feel your rights are being violated, we will let you vote on it? If you can show us that what you are doing is right, why insult our intelligence by saying you will never agree with us because you don't understand. I can understand anything you can understand if you can put it to me clearly and prove it to me.

MRS. SALLY DAVIS: My name is Mrs. Sally Davis and I live at 4839 Castle Bow in Park Village. I am a military wife. My husband is due to retire in July of this year. I am also the daughter of a man who died while in the service of his country. I wish to read to you a quote from the Declaration of Independence. "We hold these truths to be self evident that all men are created equal, with certain inalienable rights they are endowed by their creators and among these are the pursuit of life, liberty and the pursuit of happiness. That to secure these rights governments are instituted among men deriving their just power from the consent of the governed." After 200 years is there going to be another Boston Tea Party in San Antonio? Annexation by force without consent after the people who are to be annexed is against the very moral fiber of which our nation was founded. The City Council of San Antonio is proposing annexation of approximately 63.38 square miles of land surround the City without giving the residents the right to vote on whether they desire to become a part of San Antonio. By annexing us, they will impose City taxes on us but not give us representation on the Council at least until the next election. I wish to make it perfectly clear to the Council that should this be forced upon us I shall be running against one of you. My name is Sally Davis and Please vote for me. We were not allowed to vote for the present day Council so therefore, we are not represented by the present City Council. But you are wanting to tax us. This is taxation without representation. which is why the Boston Tea Party was held over. We are already paying the City for gas and electricity. We have our own sewerage disposal system which are superior to yours which was shown last week when all the fish were killed. We have our own water system and the County provides us with at least as much, if not more, fire and police protection than the City is presently capable of giving us. Right now in the Park Village area is between Windcrest and Kirby, within actually probably about five minutes we can have fire protection in our area. The closest City fire protection is on the Austin Highway and the City fire truck would have to come all the way up the heavily congested Eisenhower Road. Most of us moved into our present homes because the taxes are low. Very few of our budgets can stand an extra \$20 or \$30 added to our mortgage payments. How many will be forced to sell and move out and lose everything they own? Perhaps the Council will say they can offer us bus service. Well, it now costs 42 cents to get to the downtown area from Rittiman Road and Harry Wurzbach. What would it cost us - 50, 60 or maybe even 70 cents, that's because we live two or three miles beyond that. That's an awful lot of money to pay to get to the downtown section of the City that can offer us so little. We have done without bus service so long now that most of us shop at North Star and Central Park Malls. By the way, not using City streets, but Interstate Highways - Loop 410. Why should we pay so much and travel so far on the bus to shop on crowded streets with so many junky little pawn shop type shops in between the good ones when we can shop in a nice clean air-conditioned mall where all the good stores are very compactly located. We are still paying our share of City sales tax. We, the people living in those 66 square miles, appeal to the citizens of San Antonio and to the City Council to give us the legal and moral rights we would be denied by forced annexation. Do you want San Antonio to become another Los Angeles?

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JAMES OTTINGER: My names is James Ottinger and I live at 6166 Hazel Velley and I wanted to ask the Council, which has been said many times, why do we not have the right to self-determination? When I came to San Antonio, I could have bought a house in any part of this City of any part of this state. Instead I bought my home in Valley Hi because of the quiet neighborhoods and no conjestion. I am a veteran of the Korean War on which I fought for the liberties and the right to vote as each one of you gentlemen probably have done likewise. Any you elected your place to live and to raise your family such as we did in our area. So I am asking you to just give us the right to vote on this issue and if the people speak, being no more than three years in the City, I will go along with you. I will help the City in any way that I can if the people are allowed their rights under the Constitution of the United States to vote on this issue. On the question on what the City is going to provide us, we got 16 minutes time from Nogalitos Fire Station between Nogalitos and Highway 81 to my home should it catch on fire. Sixteen minutes, gentlemen, my home would be gone, but I have five minutes response from our terrific fire department volunteer unpaid in our area at no taxpayers expense and I commend the gentlemen of this fire department for our excellent protection. As for us receiving police protection, Sheriff Bill Hauck is doing the best job of any sheriff I've seen and giving us protection he will give us five minutes to our homes in case of problems, but now we go into another area. This City is rampant with crime. Our area, that I'm speaking of, who I'm proud of it.....we have very little, little time or criminal element there due to the stability of the people that we have in this area, and this to me shows the type of people that are asking you gentlemen for the right for us to vote on self-determination like each of you. You want your children to go to the best schools. We have fine school districts. I want to ask one other question. Would you like to erect a daring fence around this City? Why don't you? I am a farmer. I have bought thousands of dollars of equipment in your City. I've used your fuel. I've furnished you with food to eat and cattle at the Union Stock Yards. Okay, why don't you put a fence around this darn place or charge those guys, put toll gates around the City and ask these gentlemen to pay you. And I'm pretty sure that an independent farmer and rancher of our area will pay you whatever you want because they render to Caesar what is Caesar's and as a taxpayer, myself, I always try to help my community. Should the people vote as I said previously to come into the City with the same figure will not pursue to help you to better your own communities. Thank you sir.

MAYOR GATTI: Mrs. Howard Johnson.....Could you please dispense with the applause. We are interested in hearing everyone and we could speed up the proceedings if you just.....

MRS. HOWARD JOHNSON: Mayor Gatti, Council members, I am Mrs. Howard Johnson. I live at 2614 Brandemere in Camelot. I am a member of the Greater San Antonio Citizens for Voters Rights Committee, and I am here today to express my views against annexation. I would like to make it clear at this point that I am not against being a City resident. I have lived here for ten years, five of those years inside the City limits. I love San Antonio. I feel like it's my City. I love it. I moved away for eight months and couldn't stand it. I had to come back because I liked it so well. One reason I am against it simply is because what's been brought out is I feel that my rights to have a decision of whether I am annexed or not is being violated. I would like to say too that my house payments would be raised approximately \$30 a month in taxes. In exchange for this, I would like to expect \$30 a month of services provided by the City, which I know is impossible. We have very good fire protection. We have a sheriff patrol that patrols our street at least three times a day. I see him driving down the street and in the nine years that I was in the City limits, we did not see a patrolman, a City policeman on the street except maybe once a week and then usually only if he had been called out for some special reason, and I would like to say here, too, that I am behind the police force. I have not met a policeman I did not like. I think they are doing their job very well. There is just not enough of them and I don't think that you can provide now or anywhere in the near future the fire protection or police protection that we need. I don't believe that any government in the United States has the power to dictate or exercise power over people without consent of those people so affected, and I believe that every citizen regardless of his geographical location has the right of self-determination which is guaranteed by the way, under

the 14th amendment of the Constitution. I would like to say in answer to some of the things that have been said about or around here about we should have an equal share in taxes and in so doing that taxes will be lower eventually, well the fact that there is not adequate fire and police protection right now for the City residents now shows me something right there. How can taxes be lowered and improve it and if all of us are taken in and all this added service should be included, then I certainly can't see any way how taxes could be lowered. Much has been said about county residents living off of San Antonio and enjoying its services and so forth without sharing in its expense, but I would like to point out that I shop nearly every day and pay City sales tax and I am afraid that the City Council would have quite a big bug fight with the merchants of San Antonio if we boycotted San Antonio for any length of time because I do believe that we are sharing in the expenses. Thank you.

MARK WALDREP: Mr. Mayor, City Council, City Manager, my name is Mark Waldrep. I live at 2210 Copperhill Drive. I'm not against annexation itself. I am against annexation as administered by a select few that disinclude the right of people to decide by a vote. A general position from the people of Oak Haven Heights has been presented to you this morning. However, as a resident in Oak Haven Heights located directly east of Hollywood Park off Highway 281 North, I would like for just a moment to relate my personal arguments of the proposed annexation of the area in which I live. First of all, we are certain of course that all City services will not be installed in our community when annexation takes place. Secondly, we are aware that annexation is ultimately decided by the City Council of San Antonio. In other words, we are aware that annexation is not decided by the general populace, the people, but rather a select few. Thirdly, and from the facts presented by Bob Klier, President of our Home-owners Association, early to you today, annexation would greatly endanger the lives of the people in Oak Haven Heights community as our current fire fighting facility of Hollywood Park, no more than two minutes away, would be replaced by the City Station #31 ten minutes away, 5½ miles away on the intersection of Blanco Road and West Avenue. I feel it more than a matter of mere principal but a moral issue that City of San Antonio will annex an area such as ours and at the same time be aware of these facts. Why do I say this? First of all because it is wrong to have people pay for services that don't exist at the time of initial annexation. Secondly, in a democractic society such as ours, at least I hope it is, it is shockingly wrong that annexation not be determined by the general public through the 200 hundred year old right to vote. Thirdly, I believe that any move to annex an area that endangers the subjects area populace is reckless and thoughtless, and of course reckless and thoughtless decisions are not a part of a responsible and responsive government. Lastly, services that would be eventually administered to serve our area would have to be footed by the people already in the City as our area would have to be completely undermined for water, sewage and other services for only a couple hundred of people. Now, I don't believe that anyone is going to sit here admit that they are hindering the democractic process. Of course everybody talks about democracy and the democractic process. That's fine. That's all good. But where is the right to vote in this issue today? Also at this time I would like to get your answer to this question. Mayor and Council members do you believe that citizens should have the right to vote in a manner that affects themselves, their families, their friends, their homes, their land, in general their life, liberty and their pursuit of happiness? I would like an answer to this at this time if you would please.

MAYOR PRO-TEM GARZA: We won't give an answer to this. I would like to keep an open mind at least through the whole process of the hearing and hear all citizens that are either for or against. And at the end of that hearing, I'll give an answer. Would that be all right?

WALDREP: Okay, if you do concur with us and believe that we should have this right, permit us to vote on this issue possibly you will realize that a lot of your opposition balances between those who do not want to be in the City period.

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On the other hand, there are those who are against this forced annexation from the sake that they do not have the right to decide for themselves their immediate future where they live. I am sure you wouldn't want me to inform you that come June 1st you are going to be a resident in my community in Oak Haven Heights six miles north of Loop 410. And that's where you are going to reside and I'm also sure that I don't have to inform you that if you don't put this proposed annexation program to the vote to the people up for annexation, then you could conceivably be annexed into a field of ex-City officials. Thank you.

MRS. MANFORD GERHARDT: Mr. Mayor, Mr. Garza, Miss Haberman, and gentlemen. I am Mrs. Manford Gerhardt. I live at 1903 Kenilworth and I have called San Antonio home for 60 years, as has my husband. Ever since we reached the age of discretion, in other words, adulthood, we have both felt a sense of pride in our City and have been actively interested in its development. You might say that we have a love affair going with San Antonio. And I realize that this is one of the platitudes that my friend Mr. Green so arrogantly brushed off. It is because of this that I feel constrained to make a statement at this time supporting the plan of annexation as prepared by this Council. The emotion filled arguments of citizens affected sound very familiar to me. This is because I was the central figure as a Council member in the last extensive annexation program of the City in September, 1952. There was a great hue and cry at that time, but in my opinion when the Council acted in a courageous farsighted and statesman like manner and carried through on the annexation program, imagine if you will the chaotic condition that would have existed if the boundaries of the City of San Antonio had remained a six mile square. The stifling effect on the orderly development of the City is easily imagined and causes me at least to shudder. Areas to the South, the Southeast, our Babcock, Fredericksburg, Vance Jackson Road, were some of the areas that were brought into the City. The Northeast area where I live was also an involved area. And I might interpolate here that when we bought property where we are now living, we deliberately chose to live in San Antonio and not in one of the sub-urban areas. Now after an era of scattered small annexations, largely on the request of developers, this Council is considering another large scale annexation program. I feel that this is necessary to protect the orderly growth of the City in the fields of health, in long range planning, for parks development, also for streets and sewerage, for police and fire protection, and others I could name. It is necessary to salvage the City from the specter of urban blight which plagues many Northern and Eastern cities. This Council is acting according to the law of the State which governs the rights of municipalities. I am convinced that these citizens affected are solid lawabiding patriotic Americans and I would not presume to ascribe certain motives to them. However, all citizens are greatly concerned with what is going to happen to our cities. I assume that many of these people live here because they want to, because they work here. Therefore, I appeal to them to consider the importance of being a participating member of the team. Only in this way can they have a say as to the level of taxes and what they receive for those taxes. Only in this way can they have a voice at the ballot box to voice their convictions as to the way the City is to grow and thus protect their very jobs. Without exception students of government assert that this level of government, the municipal, is where the voice of the electorate counts for the most. Furthermore, both the developers and the people buying in these affected developments have known right along that they were subject to annexation. And yet they continue to buy. Finally, I invite these fine people to become an integral sharing part of this lovely City. In the truest sense, it can only come about if they are citizens of San Antonio. In an editorial published by one of our daily papers only yesterday, the statement was made and I quote, "The talent and voting involvement of the citizens currently outside the City's corporate limits need to be added to the local decision making. San Antonio is really one City and ultimately its government should reflect that fact." Thank you.

MRS. ELIZABETH HEIDER: Mayor Gatti and Council members, I am Elizabeth Heider and I live at 4874 Castle Lance, and I agree with most people here that have come to express their opinions against annexation. I strongly believe that I should be given the right to vote against it.

MRS. ANN WEST: Mr. Mayor and Council members, my name is Ann West and I live at 5606 Brandemere Drive in Camelot. I was going to ask what would you do if we are annexed. I am not opposed to annexation as such. I would like to know, besides the things that you have published in the paper, such as a fire station. We know where the closest fire station is to us and this frightens us. We're not opposed to annexation. We just want the right to vote.

ANTONIO BALLARDO: Mr. Mayor and members of the City Council. My name is Antonio Ballardo and reside at 1810 Westplain Drive in Westwood Village. I am a member of West Bexar County Citizens Committee. Forced annexation is a political position, Mr. Mayor. It is 180 degrees out of face with the democratic process, which means if we remember correctly, that the people are entitled to a voice in deciding their own political affairs. As a political procedure, forced annexation also appears to dismiss and set aside the most fundamental proposition underlined in democratic government. That government derived the just powers from the consent of the governed. It is my firm conviction Mr. Mayor that the people who inhabit this 50 or 63 square miles of new land you propose to annex are entitled to vote on annexation for in what other way can the City Council properly establish a just power to regulate the affairs of all the people who now inhabit that land. In concluding, Mr. Mayor, we are all well aware that the practice of forceable annexation of land and people against the will and without the consent of the people annexed is by no means a new development in world history. For instance, to name just a few examples of forced annexation, I call to mind the forceable annexation of Austria in 1937; the forceable annexation of Czechoslovakia in 1938; and the forceable annexation of Poland in 1939. All of these annexations were carried out against the will and without the consent of the peoples annexed and all were supported by claims of alleged need for lebensraum or space increased to expand and grow. Now in 1972, Mr. Mayor, you are embarking on the same kind of expansion program as that so boldly perpetrated by the fuhrer in 1937 to 1938 and 1939? And are you supporting your program by the same allegations of need? Gentlemen, I am here today to be joined with my friends and neighbors in demanding the right to vote on annexation.

MRS. RUTH CARTER: Mr. Mayor and members of the City Council, my name is Mrs. Ruth Carter and I live at 226 Stimmel. I am native born Texan, born San Saba County. I've spent most of my life in and around San Antonio. My husband served 14 years in the United States Navy including the time of World War II and the Korean conflict. I spent several of those years during his absence at sea and on overseas duty here in San Antonio. We settled here permanently in 1961 and my husband started working at Lackland Air Force Base for Civil Service. We were dissatisfied with living in San Antonio, so we bought our house in the County in Rainbow Hills near Lackland. We worked very hard to make our new house truly a home. Now it seems the City Council of San Antonio intends to deny us the right to choose a home in the County by reaching out and wrapping us up in its arms and hands. I have a birth certificate that says I am a native born of the United States which does entitle me to all of the citizenship rights that belong to all Americans under the United States Constitution. Now I feel that the City Council of the San Antonio is making ready to deprive me of about the most vital and important right I have. That being my right to vote. When I was a child, my grandmother told me that I am a descendant of General Sam Houston who was a president, and a governor of Texas, and a United States senator from Texas in its infancy. He fought for Texas and for everything that he felt was good for the improvement of Texas and my grandmother said I should always do the same and never to do anything to degrade my state, but never to hesitate to stand up for what I thought would be right for Texas. San Antonio being just about the most important historical City in our great state of Texas. I have very strong feelings about it.

Since my constitutional birth right and my democratic right to vote will be denied me, I am afraid that next thing you will want will be our life's blood. My husband was not able to attend today. He's at work. But he sent some of his blood and I'll be glad to leave it with you. But it will be the last you'll get. I would feel we should long remember the brave, remember the Alamo. Also, we shall all remember this City Council who feel they have the right to reach out and dig in our pocket book to help pay for the things that we do not feel we need or that we are all better off to the best interest to all of San Antonio. You may take us into the City for a while but we don't expect to be in there long. I have a piece of paper here and also my husband's, and we have some more in our home which say we have the right to vote. Although we do not have this privilege at the moment, but if we are annexed, we will have. I feel that this is the only privilege or benefit or improvement of any kind I will gain by annexation and I thoroughly intend to use it and to use it wisely. I can't understand why we're sending men so far away to Vietnam to fight against the same things we have going on right here at home. Could it be to divert our attention away from the skulduggery and corruption that is going on in the different levels of our government here. I pray that while our men are fighting to help the politically deprived people in South Vietnam that our officials here at home don't place us in the same position. I believe our government claims to be a government of the people, for the people and by the people. I'd like to see it be by all the people. I consider your method of annexation unamerican, undemocratic, untextan and most of all unconstitutional.

MEL HUGHES: I am very pleased that I can address you, Mr. Mayor and honorable members of the City Council of the City of San Antonio instead of King George III and the fuhrer. Mr. Mayor and members of the Council, my name is Mel Hughes, Jr. and I reside with my family at 6410 Viewpoint within the City of San Antonio. I am presently serving as Chairman of the Planning and Zoning Commission of the City of San Antonio, and last March 29th the Planning and Zoning Commission unanimously passed a Resolution with regard to this matter of annexation and instructed me to appear here today and present this Resolution to you. With your permission I shall do so.

WHEREAS, the City Council of the City of San Antonio has under consideration the annexation of approximately sixty-three (63) square miles of surrounding development comprised of over eighty thousand (80,000) persons, and

WHEREAS, the question of annexation has been before various City Councils over the past years and is in urgent need of being resolved in order to insure coordinated, long range comprehensive planning in areas of burgeoning development, and

WHEREAS, the annexation plan as prepared by the Planning Department of the City of San Antonio under the direction of the City Manager has been prepared in a comprehensive and professional manner, and would contribute to equalization of the economic and tax base and encourage citizen responsibility in our community at large;

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of San Antonio, recognizing that an active ongoing annexation program is absolutely necessary to the orderly growth of our City, unanimously recommends to the City Council the adoption of the annexation plan substantially as presented by the City Manager through the Planning Department, and that a warm welcome be extended to those persons now residing outside of the City to join in making San Antonio a greater place in which to live, and to work, and rear our families; further, the Planning and Zoning Commission recommends that the City Council explore every possibility of also bringing the satellite cities surrounding the City of San Antonio into one large family with the above purpose as our goal.

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This Resolution, Mr. Mayor and members of the Council, has been signed by all nine members of the Planning and Zoning Commission and I respectfully present it to you today. Thank you.

ROBERT BROOKER: Mayor Gatti, Mrs. Haberman, Councilmen, I am Robert Brooker. I live at 158 Rock Valley in Valley Hi. I have been living out there, well, ten years now and this annexation, I know, has been going on all this time about talking about taking us in. And all the time they were talking about taking us in, like I said, I was raised here in San Antone and I know the Eastside, the Westside, the Southside and I know of places in San Antone where in the late 60's I have friends who still lived in the Southside, their streets were still dirt and gravel, and I just can't bring myself to see any reason why more land could be taken in when the land that you have right now, the streets and the public facilities are not taken care of in really in a manner in which I can remember San Antone 30 years ago, because that was when I was still here in San Antone with my mother and father. Now I moved outside of San Antone after I came back out of the service, after I had lived in San Antone for four years following my service, and I lived on a gravel street in brand new homes that San Antone Savings and Loan had built along with about 40 others that were about five years old. I don't know. I am just an individual. I am not with anybody. I am just an individual. But I do believe I have a right to vote. I think each one of you all do. You all were voted in by the same law that I believe gives me the right to vote. I am not saying that . . . I might even vote for it if you can show me where you can improve what I've got now because San Antone is my home. Somebody asks where I'm from, I don't say Valley Hi. I say San Antone. I am proud of San Antone. Like other people have said, I enjoy San Antone. My heritage is here. HemisFair, the Alamo, all of it. I bring friends here. I show them my town. But I want the City of San Antone to show me something in return and if you show it to me, take me into the City. But if you can't take care of me any better than what you're doing to the rest of the City, please leave me out.

OSCAR VELA: Mayor, Mrs. Haberman, my name is Oscar Vela and I live at 138 Meadow Park and I just wanted to come up here to say that I don't believe the City can take care of us and I am against it and I believe that I should be able to vote and so do other people. And this is all that I've got to say.

RALPH BENDER: Mr. Mayor, and members of the Council, my name is Ralph Bender. I live at, I and my family reside at 3026 Cripple Creek in San Antonio. I am not a member of any particular committee nor am I going to demand anything of the Council nor am I going to threaten the Council with anything. I am an urban planner and an architect and I operate a national architectural and planning practice. I am here to speak in favor of this annexation program. I would like to take this opportunity to commend the Council and the City Manager and his staff for their aggressive leadership that they are showing to this community. I don't anticipate nor do I think we have any right to expect that you will always be correct in all of your decisions. However, I think we do have a right to expect that you will act aggressively and responsibly in the interest of this total community. I think that what you are doing here today is precisely that. The progress of this community has made over the past 16 years, the 16 years that I have lived in San Antonio, I think has been nothing short of remarkable. We expect that this Council will act similarly to the previous Councils that have been here during that 16 years and continue in that same pattern. As a matter of fact, personally, I feel like this Council will do far greater things than any previous Council based on what you are currently involved in. My firm represents, my firm has numerous clients who are builders and developers throughout the metropolitan area. They operate both within and without and beyond the City limits. Some of them operate both inside and outside of the City limits. The best of my knowledge, and certainly I cannot speak for all my clients, but to the best of my not one of my clients is in opposition to the annexation program that is underway.

One thing I would like to point out to the Council is that, and also to the Manager and his staff, is that many areas beyond the corporate limits have been subject to much advanced planning and programming, and it would behoove the Council to recognize the validity of these long range plans when this property is annexed. I think these plans need to be acknowledged and recognized. I, personally, am confident that this Council will give due consideration to all the points made by the very considerable opposition here today. I am equally confident that this Council will not in any way be intimidated by the number nor the demands of this certainly conscientious reciprocal group. Thank you very much.

ROCKY SALAS: Mayor and City Councilmen, I am against, first I'll say I reside at 7131 Cypress Grove in Westwood Village and I am against annexation because, first I am being deprived of my voting rights under the Constitutional rights, second the City of San Antonio has got a lot of work ahead of them in the old City and they will not be able to handle what we have now in our area. Before we will receive the benefits that will be promised to us after we are annexed, if we get annexed, it is hard enough for us toI'll go over this again. Before we receive the benefits that we will be promised, if we are annexed, it will be hard on us for me now to raise my family and send my kids to college with the additional burden of the taxes. This will primarily be the reason why I am against annexation. If you wish to expand San Antonio City limits, why not annex some of the surrounding areas in which you will have to invest money to build instead of our areas which are already built and populated. And as to your advantages, I am more than satisfied with our fine department of police and fire protection. I claim the right to exercise the right to vote as an American citizen on this annexation and I do have my voter's certificate here.

OTILA MARTINEZ: I am Mrs. Otila Martinez from Westwood Village, 7135 Cypress Grove, and I am against annexation because as my family and I were discussing we have already all those privileges. We were citizens for 22 years and the place is the same way it was 22 years ago when we moved in there and we moved out last year. No additions, no nothing, it was the same thing. We called it the neighborhood was going kaput. It was decaying and nobody does anything about that place there. There was no...we wanted to have a place that was pretty and we could keep it clean, and we did, but the people wouldn't take care of it. I think there should be a rule that people should take care of their homes and their places so everybody will enjoy staying in San Antonio. So I moved out and I enjoy it very much where I am now. It is clean and beautiful. And the thing we are discussing, we should have the right to vote and as American citizens, give us that privilege.

GUENTER KRELLWITZ: Mr. Mayor, ladies and gentlemen of San Antonio, City Council, my name is Guenter Krellwitz. I live at 5518 Chancellor. I speak in the name of the Glen Oaks - Oak Hill Terrace Civic Association plus other people in the area which feel that it isn't even use to come over here and talk about this annexation. Again, the surrounding areas of San Antonio are faced with the subject of annexation. Cities always want to take over the areas around them. Especially the areas where there is tax money to be gained, believing that by annexing their problems, especially their financial problems, will be solved. The grass always looks greener on the other side of the fence. Why can't cities concentrate their efforts on solving their own problems first. Bringing their own house in order, be efficient, and then using their salesmanship to ask people not to tell them to join the cities. To say the outlying areas are using the City's services without paying their share is certainly misleading. People come to shop, use the restaurants, pay for the water, gas and electricity, and in most cases at a higher rate. People donate money for many of the City's worthwhile causes and I can assure you that if the City would not supply gas, water and electricity, they would not sit by candlelight without water and heat and, therefore, making it a sound business practice for a business venture to supply as many prompt paying customers as possible. To complain as you have concerning who is using whose street is rather childish. The point is that the City would like to control the people surround them for obvious

financial advantages. Many people in the areas to be annexed face an increase in taxes from 50 to 75 per cent. For example, a house valued at \$20,000 will pay \$189 more in taxes while one at \$40,000 will be an increase of \$378. These are figures supplied by your tax office. Savings in water, sewer, garbage and fire insurance only amount to between \$5 and \$7 per month. Understand their circumstances. Again, these figures have been collected from each agency involved. For many people that is a tax burden hard to take especially at the present time when the Country is trying to hold down inflation by price and wage controls. Unfortunately, they have not instituted a tax control yet. For many of the retired people on fixed incomes, young people with new families who have scraped together the down payment for these homes, annexation could mean giving up their homes and moving further out. You also have unemployed people who are presently using their savings to keep and maintain what they have until the present depression and I say depression sbusides. What disturbs people the most, however, is the fact that the City just comes along and says from the date stipulated you are being incorporated into the City. No vote to let the people decide whether or not they want to join the City. No choice of self-determination. An outside City Council just passes an ordinance of the few public hearings in these chambers and that settles it. You should hold public hearings in the areas to be annexed and be prepared to explain explicitly the pros and cons of the subject. It is incredible that in a Country which believes so strongly in democracy the right to vote on the matter of annexation is denied the people. Yes, your action presently is legal according to State statutes. But don't you think you have a moral obligation to the people of the areas to be annexed. As elected public officials you should strive towards a goal enabling the people to vote in a democratic manner so that they may determine their own destiny. As a City grows in numbers, representation shrinks. A hundred, a thousand or a million people, the representation on the Council remains the same. The larger the City, the less an individual means to them and to the City officials. City officials only become attended to the wishes of the people during an election week and campaign donation and support of the people of importance. When you finally vote on this annexation matter, ask yourself have we honestly given justice to the people and have we preserved their right of self-determination.

COMER JOHNSON: Mayor, City Council, I believe, first off, my name is Comer Johnson and I live at 279 Paradise Valley Drive in the Valley Hi area. I believe that we the people of Valley Hi and the other communities should have a right to vote for or against annexation. We are the people of communities as is the people of cities that send their young men to war to fight for freedom of other countries. Why can't we have the same freedom right here in the United States here in San Antonio. My family and I are 100% against annexation without the right to vote. Let's compare our streets with the City streets; our streets are much better. I think the City should repair and upgrade their own before they try to annex us, devour us and destroy us with higher taxes and less service.

BILL WALLACE: Thank you, Mr. Mayor, Council members. I come today to speak for annexation. First, I would like to say I respect everybody's right to criticize-to peaceful dissent. I would like to say a couple of things that I have noted at the hearing is that everybody is talking about rights. In being a black man and a member of a minority race, there is no one that knows any better than I the violation of rights. The question here is whose rights are being violated? The citizens of the places being annexed or the government of San Antonio which has the right by State law which has representatives from that area that voted for the law of the City. You have the right to annex anything within five miles of your boundaries. If we had to vote for everything in the enforcement of every law, we would still have segregated schools, no progress, bad segregated South and I guess George Wallace would be President. The thing is to me had this type of attitude been taken back in 1776, I wouldn't have to be fighting today for my rights. But the thing that I see now, there are 700,000 people who would also get a chance to vote on whether or not they should be annexed. One other little point that I make, a little thing that I wanted to come to my mind, about during the time of HemisFair, some of these people

thought that they should be annexed and they offered 500 acres of land to build HemisFair on. Now the fact that Council did not choose to build HemisFair there, maybe this is a little get back. I don't know. But they were ready for annexation five years ago. Now you hear a lot of talk today about fire and police protection. I see no reason why you would close any fire station in existence out there but every reason why you should support it and keep it open. We talk about the sheriff's department. These same 700,000 people pay their sheriff department and cannot use not one man. So, I don't see where we are being degraded. I pay County Tax and I guarantee you it's a lot harder for me to come up with the money than a lot of people I have seen up here at this rostrum. So you haven't been deprived. They haven't been deprived of anything. Now I take offense if any member of this Council has called them leechers. Now if they have taken this from paying your fair share, that's two different things. Now if they were lucky enough to live out there one year, five years or a million years without the City taxes fine. But when you move next to the border of the City, you know that any year from year to year you can be annexed and you do not have a vote in the matter. I think whether or not they vote for you, whether or not you annex them will have nothing to sway my decision of this Council. Your record for two years is what I vote for or not. Not on any one issue. Because we cannot all be satisfied. There has got to be some differences somewhere and I think that everyone should realize this. You cannot stop a growth of a City if the City wants to grow. Thank you.

STELLA CASTILLO: Mr. Mayor, members of the City Council. My name is Stella Castillo and we are property owners in North East Bexar County, and I would like your undivided attention. I grew up here in San Antonio and let me put it this way, it's been over 30 odd years since I've lived here. I won't say how many 30, but we lived in the Harlandale School District and I have gone back there since because we lived here for a long time. When we lived out there, all we had was gravel streets. Brighton Street, you used to, if you wanted to go to elementary school, you would have to wade and I mean it, waist high in water to get to go to school. It is the only improvement that has been made and that is somebody went down with a gravel truck or something and paved it. But every other street, we do not have sidewalks or nothing in there and it's been over what 32 years ago, and they are still waiting to have proper lights and to get the streets paved and everything. Now, I don't see what improvements you are going to do to them if you get us in there. I live in the Camelot district now, because I wanted to work myself up from the area where we were born from. Okay, now you sit there and try and tell me that you are going to help us. I doubt it. And take it from someone who has walked all the way to high school in mud. Okay, the area in which I live in now mostly consists of people who are serving or have served in the armed forces. My father fought and died in the Korean War. My husband is presently serving his third tour in Vietnam. They are fighting against forced annexation in those areas also. Okay, yet here you sit and you try and tell me that I can't have the right to vote for myself. Yet you do enjoy the money that our people stationed here spend. I do not think that our men in the armed forces like the idea of being called leeches or that we take advantage of your City. Okay, unfortunately a petition containing more than 1,000 signatures of members of the First Cavalry Division did not arrive in time for me to present it here to you today. They were appalled at the very idea for which the very issue which they are fighting for is being denied to the citizens of Bexar County. The people of Bexar County only demand the right to have a vote either against or for annexation. That's all they request. Thank you.

MICHAEL E. CLARY: My name is Michael Clary. I live at 6827 Westwood. I would like to thank the City Council for giving us the chance to be heard down here today, but I do believe that everything that we have said is being ignored and going unheard. Thank you.

MRS. DALE SNYDER: My name is Mrs. Dale Snyder and I reside with my family at 6930 Biscayne Drive in Westwood Village. I could probably go over all the points that have been made by everyone else so far, but I feel that I am very happy where I am at now.

We have everything that we need; that we really will not be gaining anything by being taken into your City. We do, I would say, at least 90% of all of our shopping outside of the City limits and I believe that why don't you just leave us alone or else give us the right to vote and let us decide if we do want to be a part of San Antonio. My husband came here because of the military. He will soon be retiring and we are planning on making this our home. We are very happy here. But please give us our rights. Don't deprive us of something that the Constitution has given to us, and I do believe that the City and the State laws must not go against the Constitution of the National laws. I believe that this is one thing that is going against our Constitution, and I think that we shouldn't have to go to court to get our rights. But if need be, this is what we are going to have to do. I thank you very much for being allowed to speak.

SALLY DAVIS: Well, I have a few questions. First of all I want to know if my name will be printed in all of the City newspapers. My name and each individual vote. And in answer to the gentleman who spoke quite early from the Taxpayer's League, I'm not a parasite. I use your City facilities probably less than some of the tourists. When I go into Witte Museum, I pay. When I go into the zoo, we pay. We also pay our City sales taxes. Now we have County police protection. Before and after school, there are patrols on Midcrown which protect our children to and from school. Can the City offer us before and after school patrols on Midcrown? It says here, I will quote and I will give it to the City Clerk a newspaper clipping. "Mayor Gatti gets on radio and says that the City after servicing areas about to be annexed will be ahead a cool \$2 million at the end of one year. That would represent the amount of new City taxes taken in over cost of the services." It kind of puts Gatti on the horns of a dilemma. Either the services will be woefully inadequate or if adequate City services can be provided at that kind of a profit, why aren't present San Antonio taxpayers getting a hefty cut?

BECKER: Mrs. Davis, you won't have to wait to read what my vote is going to be. It's going to be a vote in favor of annexation. So you won't have to bother to look for my vote.

MRS. DAVIS: Thank you for standing up and being counted "for."

PRISCILLA FLETCHER: Mayor Gatti and City Council, I am Mrs. William Fletcher. I live at 6110 Lock Valley in Valley Hi, and I am against annexation. I am not in San Antonio because I want to be. I am in San Antonio because my husband is in the military. When we came to San Antonio, we wanted to buy a house that was nice enough for our family. We bought this outside the City because the prices were lower and lesser taxes. This is my second trip into your City. The first of which was to register my car and none of my family has darkened the doors of any of your libraries. We and a good portion of our neighbors are military and live on set incomes. We kept this in mind when we bought our homes. And if we are forced into annexation, we will have to place a for sale sign on our front lawn as will many of our neighbors because we cannot afford the added prices to our payments. If we do have to sell these homes, who is going to be interested in buying these homes at payments of better than \$200 a month plus utilities? Also take into consideration military families coming into the area. How many of these families are going to be able to afford homes nice enough and big enough for their families with these increased payments? It wouldn't surprise me at all if I was to be in the military to suggest that men do not bring their families into San Antonio with them because of the high cost of housing, and where would San Antonio be without the military and their dependents? Secondly, being a property owner, why don't I have the right to say something about matters directly concerning my property? Many military men such as my husband keep their legal residence in one state because of frequent moves. But we own property in other states and we feel that owning this property should give us a right to say something about matters concerning this property and areas like forced annexation. Thank you.

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RAYMOND J. DOMBROWSKI: My name is Raymond Dombrowski. I live at 218 Stimmel in Rainbow Hills. There's been a lot of talk today, and as I was listening to most of the conversation, I felt I should comment on a few matters from every speaker. But I only have five minutes and would like to comment some of them that I can still remember. One was the annexation for the purpose of orderly development. I think it just takes a one second look at the map to see it's not very orderly. And the places that are to be annexed are already developed so that I don't see how it could be orderly developed. There are places, areas that do want to be annexed and I feel that they should be given the priority and that's where the development is needed in the areas that do want to be annexed. And they should be considered. We have very good fire and police protection, a lot better, I am sure, than if we are annexed. The City expects about \$5 million, I understand, in revenue from this area to be annexed. And I understand that they are not going to use the added revenue for streets. There is one gentleman back here who is waiting for sewerage for seven years. I don't think he's gonna get his sewerage from it. I understand there's a builder and businessmen who do need \$10 million, and I think that's where our tax money may wind up. Thank you very much.

CHARLES MCCOY: My name is Charles McCoy and I live at 6603 Amberwood in Gateway Terrace. I have two questions. I'd like to ask Mr. Gatti, I heard during the last break, you made a statement that regardless of what was said here today we were to be annexed anyway. Is this true?

MAYOR GATTI: Who said that?

MCCOY: This is what I was told. I am asking you if you said it.

MAYOR GATTI: I'm not here to be questioned by you. I certainly didn't say that. If I would have felt that way, I wouldn't be here.

MCCOY: Well, it was obvious until Mr. Becker made his statement. I'd like to ask the Council members.

MAYOR GATTI: We're not here to do that.

MCCOY: You said at the beginning we could ask questions. And that's what I am doing. I can wait until after the hearing.

MAYOR GATTI: You can ask any individual Councilman anything you want after the hearing. Now do you have anything to say about annexation? This is a hearing. We are here to listen to you. Now you can understand if we had to sit over

MCCOY: I'd like to add my voice to that calling for a vote.

ANGIE VILLALOBOS: Mr. Mayor, members of the City Council, my name is Angie Villalobos, and I live at 6007 Windy Hill in Gateway Terrace. I am sure all of you know about Vietnam and why our men were sent over there. And for those of you that don't remember it was so that South Vietnam would be a free country and have a say so in its government. My husband was sent over there twice. The second time I asked him to refuse to go, and he answered me with these words. "He said, I am going, Angie, because I want dictatorship stopped there. I don't want it to come to come to the United States. Even if I lose my life, it will be so that you and our sons will live in a free and democratic society. That you won't lose your chance to vote." My husband was killed in Vietnam in April of 1969. Now you tell me, did he die in vain? Are you really going to annex us without giving us a chance to vote on it? Now you called us City leechers. I feel that I must defend myself on this. The only San Antonio service I use is the City Public Service Board. And I pay them more than the average citizen of San Antonio pays them. I go to a college in your City, but it's a State supported college. So I feel I have the right to go there. My sons and I use the base swimming pools. We use their libraries, their movies, their skating rinks, their bowling alleys, their PX, commissaries, and their hospitals.

When we feel like going to the park, we go to Helotes or we go to New Braunfels. We have no real reason to come to San Antonio, except to visit our families that live here. And even then we come with fear because we are afraid our car may be broken in or stolen. We are afraid someone may jump us or attack us, because your police force is not large enough to keep your City safe. But yet you are willing to add a bigger burden to them by annexing us. No, we are not City leechers, Great City Fathers. I really believe you owe a great number of us an apology. Thank you for allowing me the chance to speak to you.

HOWARD ATWELL: I am Howard Atwell, 7407 Buckboard, and the first thing I'd like to do is to explode the myth that has been floated in this meeting that we are not a democracy. We are a republic. I know of several republics that are not democracies. One of them is the Democratic Republic of North Korea, the Democratic Republic of North Vietnam, the Peoples Republic of China and the Socialist Republic of the Soviet Union. But I thank my God I had some forefathers that took the foresight to see that we are a democratic republic. I will vote for the Brother Bill Wallace and his right to be annexed. And I may also vote for Brother George. Because if this is not a democratic republic, then I spent my 20 years of my life defending a Constitution and I've been to Vietnam. I haven't fought any wars yet. These were police actions. In 1971 our great Republic of Texas voted to overturn spoke annexation. I was represented there although I didn't vote in that election. Because 144 to 1 they passed the bill that overturned spoke annexation. And my sentiments were behind them. And from my understanding of the news, one man from San Antonio requested that one man veto that. I was indeed represented by my republic, 144 to 3. And it's my duty to see that those people as best I can do not get in power again. Last year also an amendment was voted to the Constitution of the United States to allow an 18 year old to vote. There are two in my household and they have given me the authority to say that their votes are with me gentlemen. Now, I am going to challenge you rather than to try to suck us up unconstitutionally, to work with us for a better San Antonio and surround areas. I can pledge my support to any kind of program that I feel it will work towards this cause, because we of the suburbs do support your City. But we stand on our rights to vote. You may deny this right once, gentlemen, but we have four votes and I know where they'll go because we cannot be denied the franchise twice. And just as the call went out in the 1800's for defense of the Alamo, I send out a call now to the people of West Bexar County and all the surrounding areas to help us fight against tyranny in any form. And also to the people of San Antonio to rise up in indignation and repudiate your leaders that would reach out and suck up the right to vote from the citizens. Gentlemen, I shall not permit this Council to rock to sleep in the cradle of Texas democracy my family's right to the vote.

GLADIS E. SOUTHERLAND: Mr. Mayor and Council, I am not a property owner in Lackland Terrace, but I am a renter and I have been there for one year. I have a brother who is stationed at Lackland. We are a family. Now, I am against annexation for one reason. I have got a lease in my purse which I've got 30 days to sign. If we are to be annexed, then my rent goes up, but more than that I believe in the freedom to vote. And if we don't have the freedom to vote I would say put an iron curtain around us like they did in Berlin. That's all I have to say.

MIGUEL DELGADO: Mayor and members of the Council. My name is Miguel Delgado, and I reside at 1611 Chavaneaux Road. I am for annexation even though I live within the City limits. My reason is because I have been living in the City for the past 20 years and some services we have had since that time. My only hope and my reason for annexation is that if the City annexes the whole area of Villa Coronado, I stand a great chance to have these services. I'm speaking about sewer services. And furthermore, the people who live in the County, I think we have nine blocks that live in the County. I have a petition with over 300 signatures and these are property owners.

These people are voters, and they freely and willingly signed this petition that they were well aware of what they would get, what they would expect, or what they would hope for in the future. Now, I am representing the whole area and I consider these votes, and I consider this only, we didn't take any signatures from youngsters, minors. So, in behalf of the residents of Villa Coronado, the people who have signed this petition, I would like to ask the City Council members each and every one to consider, before you make your final decision, to consider what these people are asking for. They want it and, like I said, they are aware of what's gonna happen and they signed it and plea to please consider their request. Thank you very much.

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VERNON KELLEY: Mr. Mayor, distinguished Council members, my name is Vernon Kelley. I live at 335 Dartmoor in Valley Hi North. Today I came down. I am not connected with any particular group or committee. I'm on my own. I am wearing the uniform I have on today for a purpose. I could have very easily went home, changed clothes, come down in a business suit. But I would like for each of you on the Council to take a look at the blue uniform I have on. I am sure a number of you will recognize it from wearing it at one time or another. If not the blue uniform then that army green or that of the marines, or another branch of the service. While I'm standing here talking probably, and I can only guess, a number of men wearing this uniform die in Southeast Asia. Before I sit down a number more people will do the same thing. You have heard from a number of people up here today why we are down here. I think for the majority of the people in this room and for those that were unable to come down that we want and we demand our right of self-determination. All of the people that have served in the military services from time beginning have served for this very purpose, to insure that each of us have our right to vote. This is all we are asking. I am not convinced in my mind that for the whole area of West Bexar County it may not be that it would benefit each of us to come here to the great City of San Antonio. However, I still think from the leadership of this Council with the right guidance that you could convince every member in this room that it would be to their benefit, and then give them an opportunity to express it. I am a registered voter in Bexar County and have been since 1958. I am transplanted Arkansan who came here in 1957. I married a young lady from the City of San Antonio who was born and raised and has lived here all of her life with the exception of two years we spent overseas together. Her parents have worked in the County Courthouse right across the street for a number of years. But I still say that you, this group of distinguished gentlemen and the lady, I will not forget, should afford the members of Bexar County an opportunity to express their wishes in this matter. I would like to apologize Mr. Mayor for some of the people trying to interregate the Council here to get immediate response to questions which I know you cannot do. But I would like to urge each of you to make sure that your mind is not made up, because you, your stamina in sitting here for the last four or five hours tells me that you are interested in what is being said in this room today. If you have not been interested in what was being said you would have left a long time ago, which a number of our people have that came came down to express their opinions. They have left because they are tired. I am sure you are too, but I urge each of you to keep an open mind to get all of the facts, all the feelings of all the people and this is what makes this great country of ours great. The representation of the majority of the people. I thank you for your time in listening to me.

MRS. KARL FROMUTH: I'm Mrs. Karl Fromuth. I live at 5415 Charter Oaks in Glen Oaks Park. My husband and I are also members of the Glen Oaks Park Civic Association. Since those of us who live just outside the City limits benefit from the cultural and recreational advantages of San Antonio I feel it's only fair that we share in the tax burden. I don't know how long we can expect to benefit and have the best of two worlds. The fact that we live near a major metropolitan area and also have low taxes. We moved from Pennsylvania as part of the complex that came to Kelly field about five years ago. And when you complain about taxes here you don't know anything until you have seen them in the East. We get an awful lot, for the small amount of property taxes that we really pay here. Anyway, that's beside the point. We are just outside the City limits as I said. There's a fire department, City fire department, not more than a quarter of a mile from my house and I am sure I'm going to get better fire protection from that than I am if I have to wait for them to come from Leon Valley. My husband and I are very much in favor of annexation of our particular area.

DAN HISEY: Mr. Mayor, members of the Council my name is Dan Hisey I live on Babcock Road Route 11, Box 161P. I'm not here to try and intimidate anybody, that I'm not going to vote for them if they don't vote for annexation. They annex my property or anything of this nature. I'm even gonna buy Mr. Becker's groceries. I still buy at Handy Andy. I would like for him to come out and look in the area that I am talking about which is between Bandera Road and Fredericksburg, between the existing City limits, there's approximately 10,500 acres in this area. It's 90% unimproved property. Mr. Becker, I'd like for you to look at that too to make sure that... I just can't see where it would be beneficial to the City. I know it won't be a paying proposition to bring this property in. Thank you.

W. A. HOGAN, JR.: Mr. Mayor, members of the City Council, my name is W. A. Hogan and I own and operate the Gateway Motel, and the Saratoga Apts. in Lackland Area. I am against forced annexation without benefit of going to the polls and being able to vote as to whether we want to live in or out of the City of San Antonio. I am against living in the City of San Antonio myself, personally. I moved in the Lackland area because I liked it out there. I like living in the country. I think we ought to have the right of self-determination and the right to be the master of our own destinies within reason, of course. We have the best fire and police department protection, I guess that could be had. We've had several fires in our area and I know that they respond on very short notice. I'm not going to take a lot of your time because I'm tired and I am sure that everybody on the Council is tired. I would like to say that I think we need a referendum on this thing. We need the right of self-determination, the right to vote as to whether we want to be a part of this City or not a part of this City. That's all I have to say.

A. S. AGUILAR: Mayor Gatti, City Councilmen, I'd like to talk about annexation-against it. I am here because I am against it-me and my family are-for the reason that everybody has been stating the same thing. They are not given the right to vote on it-for or against it. I have lived in San Antonio for many years. It was not until five years ago that we bought a home outside the limits of San Antonio. We heard all along that facilities that we have here, that we are going to gain if we are annexed. My main point that I would like to explain on is that, here we are, we are going to annex all this around the City and, yet, it has been pointed out again that there is a lot of improvements that the people in San Antonio can look for. Now, most of my friends live in and around San Antonio. I have some friends that have been buying new homes in new residential sections throughout San Antonio. Yes, they have bought new homes because they want to improve themselves and move from the neighborhoods that we have grown up from. Now, talking about the facilities that we have, all of these areas are located all on the outside of the City of San Antonio and, yet, how is the transportation going to be filled with the City population that they going to gain. They are all very well populated now as, again, referring to transportation. Right now I have some friends that are located, most of them that have been buying around the Culebra Park located west of the west side or the Lackland Village, Valley Hi and the annexation that are moved from the westside. Transportation for them, as it stands right now, they have bus services. They have big advertisement about the services and yet these same families which I have a family also myself, the families can't afford to go on a Sunday, when they're off, they can't come downtown because they don't have no bus transportation and yet when are we gonna get this transportation. It might be five, ten years before we even get to see a bus located on the

populations that are going to be annexed. Now I have, again, served myself in the service. I have a brother in the service, I have another brother that has been out the service. When we ask here-you hear all the people here still asking for the right to come and vote for or against. Give us the right that we have in this democracy. Thank you.

JOHN B. McCARTHY: Mr. Mayor, members of the Council, my name is John B. McCarthy. I live at 106 Lake Valley Drive. I am here today to try to show you why I believe the City should not annex my area of Bexar County. Much has been said about such things as police protection, fire protection and above all things, higher taxes. One of the basic things that I think should be brought to your attention is as Americans, we the people of the United States, Texas and Bexar County have fought in wars to guarantee certain rights. Mainly, our right to choose and vote. This is being denied. Our forefathers who fought in the Revolution, World I and World II, Korea and now Viet Nam would surely turn over in their graves if they could. The people in the areas in question never had the opportunity to vote for your Council. Therefore, it is my belief that the Council should not annex these areas. I should be the right of the people to choose. I know that San Antonio surely cannot say they are not without need of money. This would be used to purchase these areas, unless it is to furnish nothing to these areas, only to take from them. Not too long ago the City presented a bond issue and it was approved. This was to help the Police and Fire Department. Would the City see fit to float another bond, give the new areas the same protection afforded the City. I am sure your constituents who are already taxed quite heavily will look upon this idea with disfavor. I know, by law, governing the five miles extra territorial jurisdiction you can annex. This annexation will cost both the City and the annexe. It appears to be economically unwise to both parties as well as ethically unjust in asking City residents to pay and to develop and to service these areas. The purpose of annexing these areas is equally unjust if taxation is to be extracted from this area and the full service is not extended. It has been said many years ago, taxation without representation is tyranny. Mr. Mayor, I would like to, in closing, I would like to thank you and the Council for hearing me and also one thing that was not mentioned, I hope this new area that you are developing is going to be a huge success, because it is going to cost a lot more tax money, that we don't have. Thank you.

JAMES SMITH: My name is James Smith, I live at 7919 Cinch Drive in Lackland Terrace area. Mr. Gatti, and members of the Council, I have been here about five hours and I have listened to the pros and cons on annexation. The main question against annexation is the right to vote. The main issue for annexation is the City needs us. Very few who spoke for annexation mentioned that they would give up their right for any vote. The City, the law of Texas gives the City members a chance to petition the members of the Council for any grievances they have and have anything put to a vote, but we do not have this right. We could argue many points about annexation but what is stated in the 14th Amendment I think says most of it. Which states, the law, "The State shall make no law or enforce any law which shall bridge the privileges of any citizen of the United States nor deny to any person within its jurisdiction the equal protection of the law." Now, since the citizens of San Antonio can vote, since the Citizens of San Antonio can vote on this issue and I cannot, I argue that this is against the 14th Amendment, equal protection under the law. I believe that the State lawmakers when they wanted annexation didn't really intend you to annex people, only land. True, a City must have people and land to grow, but annexation was to bring in land. The people were to be brought in by the City and what the City has to offer. You could argue that I could move out of the

annexation area and not live in the City I choose, but this wouldn't really be a practical solution. Lastly, I believe that annexation if it was forced upon me, would make this entire Council and the City of San Antonio government invalid, because it does not represent me. If I would have moved to Houston, I would have accepted that Council and that government on my moving into it. But you were imposing your voice against me when I had no chance to vote for you makes you not a representation of me. Therefore, I feel that if you are willing to take me in as a citizen of San Antonio, you should, this has involved the entire Council and elect people from the entire new populous which would be my area too. I thank you very much for the privilege of speaking today, but I ask most importantly that one thing, to vote. I don't think there is a person on the Council, man or woman, that would actually say, they would be willing to give up their right, not for annexation, I mean to vote on anything. I say everything has come down from the Supreme Court to every State that has ruled anything that people had a right to say and we could argue all day on what is right, but then what it really comes down to is what the people say and can everybody on the Council honestly say that they would give up their right to vote on any one issue. Thank you very much.

JOE MORGAN: Mr. Mayor, members of the City Council, my name is Joe Morgan, I reside at 5814 Kim Valley in Valley Hi and I am a member of the Armed Servies. I come down here for the main reason to ask for the right to vote on this annexation. I am not against or for really until I hear all the facts on it. All I am asking for is the right to find out all the pros and cons of this and the right to vote for it or against it. This is all I am asking. Thats all. Thank you.

CLIFF MORTON: Mr. Mayor and members of the Council, my name is Clifford Morton, I live in the City at 1110 Perrin-Beitel Road. I have lived in San Antonio since 1956. I, too, came here not by choice, but with the military and by choice after serving in the military, I decided to stay. I have thought long and hard about the questions of annexation. I think, really, we can divide the question into two areas. First, the short range and long range. As a developer, short range, it means two things to me that are negative. First of all, the land that I have outside the City, would be taxed by the City and in addition to that it would mean about \$20 a month in payments that I would have to quote to potential home buyers that I wouldn't have if I stayed outside of the City. However, over the long range, looking at it both as a developer and as a citizen, I think we have to all ask ourselves, whether we live inside or outside, I think we have to address ourselves to the real question and that is what is best for the City. Because, even though we might live outside the City, there is no question in the minds of anybody that all of us are influenced socially and economically by our proximity to the City. I think that we could, being very selfish, looking at it just from economic standpoint, I think we could start to answer some questions. For instance, if this City remains healthy and has a plan of orderly growth, I think it means economically to us more jobs, better paying jobs, I think it also means as a homeowner, and I think you had a large group of homeowners who were looking at what is immediately going to cost them, but as homeowners if you live in a healthy City, it means your property values are going to stay high. On the other hand, if you live in a City that is stagnant, decaying, it means that those property values are going to go down. If your City can't offer the services that you need to keep your property up such as maintenance of streets in front of your house, that property is going to be hard to sell. If we just wanted to be very selfish about it over the long pull, I think that the people that have been here today, who have expressed concern over \$20 or \$30 a month that they have been told when they consider the overall, its really only about \$10 more on a \$20,000 house, between the inside and outside the City when you balance

out the reduced insurance rates and so forth against the benefits they can obtain by supporting the Council in a plan for orderly growth with a comprehensive annexation plan. I think the problem or question that really boils it down itself down into several subsections. I think we can all say that we are going to ask for more and more services. In our affluent society, I think that's a fact. As this population grows the volume of services are going to grow and we have to address ourselves as to how we are going to pay for them both inside the City as well as those services that the City provides to those who live outside its boundaries. I think we also need to ask who is best qualified to perform those services. And, lastly, what kind of growth do we as citizens really want for the City of San Antonio. This problem is not a new one. It is 15 years old. Councils before you have not had the courage to face up to this question. Today the problem is a baby by comparison what it will be by the year 2000. We are talking today about 85,000 people who are living outside the City. By the year 2000, we are talking better than half a million people. So I think we can see the urgency of the question. Today the people who live outside the City do receive certain intangible services from the City and I don't want to imply that we should.... I have taken Roland Rhindhardt place, he just gave it to me.

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MAYOR GATTI: Well, Cliff, we didn't allow that a little while ago, so I think we should stop now. Thank you very much for your.....

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CLIFF MORTON: In conclusion, I would like to ask whether it would be possible to give these petitions to you because 90 some odd percent of the citizens that were asked to sign it did sign it and I would like to know whether the Clerk would receptive to receiving other petitions?

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MAYOR GATTI: Definitely, we sure do. All right, that, ladies and gentlemen, winds up the hearing. I just want to wrap it up by saying we thank all of you very much for coming. We thank you for the orderly and objective presentation that you all made. I want to assure all of you that the Council will take under consideration everything that you said and that we will give it an honest and objective evaluation. I hope that we will arrive at the right decisions. As I mentioned earlier, the proceedings are on tape. It will be transcribed and and please feel free to call at the Clerk's Office to receive them should you want them. Thank you again for coming, and good luck to all of you.

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LADY IN AUDIENCE: (Inaudible)

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MAYOR GATTI: No. The hearing is over.

- - -
LADY IN AUDIENCE: (Inaudible)

- - -
MAYOR GATTI: No - no question and answer period. No, we had the hearing and thats it.

(Numerous persons talking at once)

MAYOR GATTI: Any questions that you may have, you get the transcription and then you can ask us all the questions you want after. Any time you want you can call us, you can come see us, you can do what you want.

(All Talking)

MAYOR GATTI: I think we have done enough.

The Council Meeting will continue for all those who signed up. All you annexation people have a happy journey home. The Citizens to be Heard Section of the regular Council Meeting will be proceed now.

CITIZENS TO BE HEARD

Mr. Jesse Galindo, owner of United Printing Company, said that he has been attempting to obtain a line up of the Battle of Flowers Parade so that he could have it printed and sold during the parade. He has been unable to obtain the needed information and asked for the Council's help.

City Manager Henckel said that Mr. Galindo would have to work through the Fiesta Commission.

Mayor Gatti said that he would contact Mr. John Steen and arrange for him to meet with Mr. Galindo.

Mrs. Helen Dutmer, 739 McKinley, said that there is great concern over, the number of probated sentences given in D.W.I. cases. She asked that the Council seriously consider a resolution to be submitted to the legislature endorsing action to keep records on habitual drinkers and narcotics abusers who are a menace on the streets and highways.

There being no further business to come before the Council the meeting adjourned at 4:30 P. M.

A P P R O V E D

John Gatti
M A Y O R

ATTEST:

J. H. Durkin
C I T Y C L E R K