

MUNICIPAL ANNEXATION AS A MECHANISM FOR SUBURBAN EXPANSION IN SAN ANTONIO, TEXAS 1939-2014

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ABSTRACT: This paper examines the history of municipal annexation as a mechanism for suburban expansion in San Antonio, Texas between 1939 and 2014. Annexation, which permits municipalities to enlarge jurisdictional boundaries by absorbing adjacent, unincorporated areas, emerged as a powerful governmental apparatus to grow Sunbelt cities across the postwar United States. Political elites in San Antonio began leveraging annexation with remarkable efficiency after World War II and continue the practice today. During the period under study, the city council executed 461 annexations and boundary adjustments, adding 497 square miles to the metropolitan footprint (List of Annexation Ordinances, 2014). The same time frame saw San Antonio grow to become the seventh most populous city in the United States, adding 430,000 people in the last decade alone, with another 1.1 million expected by 2040 (Rivard, 2016). The continued use of municipal annexation as a way to grow the city has generated a wide array of responses among citizenry, ranging from strong support within development communities eager to access emerging markets, to opposition from historically disenfranchised neighborhoods where people contend that annexation further consolidates resources in middle- and upper-income areas of the city. This paper examines the historical roots of such positions in an attempt to clarify today's contentious discourse on annexation in San Antonio.

KEYWORDS: Municipal Annexation, Metropolitan Expansion, Metropolitan Fragmentation, Suburbanization

INTRODUCTION

The origins of municipal annexation, the territorial and municipal services expansion that it authorizes, and its far-reaching impacts date to the early postwar period. In 1940, the year that San Antonio undertook its first annexation, the city's population of 253,854 remained confined within San Antonio's original 36-square mile grid (San Antonio, Texas Population History 1880-2015, 2017; List of Annexation Ordinances, 2014). By 2016, San Antonio had grown to become the second largest city in the United States, with a population of 1,469,845, and a municipal boundary covering 465 square miles (United States Census Bureau, 2016). The primary mechanism for San Antonio's demographic and geographic explosion has been annexation, which the City of San Antonio defines as "...the process by which cities extend municipal services, voting privileges, full regulatory authority and taxing authority to new territory" (Annexation, 2014).

In Texas, the legal authority to annex territories resides in the 1912 Home Rule Amendment to the Texas Constitution, which provides cities with a population above 5,000 the right to annex adjoining territory. The Municipal Annexation Act of 1963 clarified the required annexation procedures, adding the concept of extraterritorial jurisdiction, which provides a city with limited control over land that extends beyond current city limits. In 1999, the Texas Senate introduced Senate Bill 89, which obliged municipalities to announce annexation plans three years in advance. It also compelled cities to publish service plans providing future residents with a description of municipal services that would occur under annexation (Tyson, 2012).

In 2017, the conversation surrounding annexation remains as contentious as ever. The City of San Antonio is currently pursuing the annexation of five priority areas totaling 66.47 square miles, which would increase the city's population by approximately 117,517 residents. Among the five areas under consideration are a 15 square-mile addition of mixed-use property northwest of downtown along Interstate Highway 10 West; 9 square miles of residential property northeast of downtown along U.S. 281 North; and another 1.9 square miles of commercial and vacant property northeast of downtown along U.S. 281 North (Annexation Program, 2017). The proposed annexations are generating a wide range of reactions from residents, developers, and city officials.

Historically, arguments for and against annexation break down in a relatively consistent pattern. The following positions represent four common justifications for annexation:

1. *Annexation as progressive municipal-governance strategy.* This position is often taken up by urban planners and city officials who view annexation as a tool to maximize the efficiency of land-use planning, particularly as it relates to the delivery of infrastructure and utilities. Proponents of this

position sometimes emphasize the added benefit of extending environmental regulations to larger portions of the metropolitan area.

2. *Annexation as means to consolidate tax revenues.* This position is predictably held by city officials who are concerned about the negative impact that suburban growth can have on tax revenue, particularly as large portions of middle- and upper-income residents and businesses relocate beyond established municipal boundaries.
3. *Annexation as tool for economic development.* This position is most often espoused by developers who are looking to enter new markets and need a reliable municipal authority to guarantee the delivery of services.
4. *Annexation as mechanism to acquire access to political representation or municipal services.* This position is taken up by homeowners who occupy the periphery of a municipality and are looking to either improve political representation or acquire access to critical services such as water, fire, and police protection.

The following arguments represent four common objections to annexation:

5. *Annexation as abuse of tax authority.* This perspective is most often expressed by two distinct groups of people: The first includes people who leave cities in order to minimize their financial and regulatory obligation to public institutions. Tyson refers to this phenomenon as the “secession of the successful,” as it often involves wealthy individuals who do not wish to pay taxes that may subsidize the government services of others (Tyson, 2012). A second group includes less-affluent residents of unincorporated areas who share a similar aversion to potential tax hikes, though the latter group’s opposition is likely rooted in financial vulnerability to the negative impacts of gentrification such as rising property taxes.
6. *Annexation as perpetuation of political status quo.* Many politically or economically disenfranchised communities believe that annexation consolidates resources in middle- and upper- income communities, often at the continued expense of underserved neighborhoods.
7. *Annexation as threat to localism.* Residents who espouse this position believe that representative government works best at the smallest possible scale and with the least amount of regulation.
8. *Annexation as an empty promise.* Residents in some districts argue that the supposed benefits of annexation rarely come to fruition, as the process fails to deliver promised goods and services.

The next section considers the historical origins of these positions as they relate to the growth of San Antonio.

1.0 CONSOLIDATION: ANNEXATION AS A METROPOLITAN POLITICAL WEAPON, 1939-1952

Prior to World War II, municipal governments mainly in the Northeast and Midwest relied on annexation to expand the influence and economies of major metropolitan centers. In the postwar period, however, annexation as a growth strategy waned in those regions, but remained a potent force in the Sunbelt and Western regions of the U.S. (Nicolaidis and Wiese, 2006). Postwar San Antonio, Texas expanded its city boundaries by annexing outlying areas. Suburbs that resisted annexation often turned to incorporation as a means to preserve home rule. This meant that the suburb assumed responsibility for sustaining municipal services such as police and fire protection, streets, sewers, drainage, parks, libraries, and schools (Edwards, 2008).

A combination of factors accelerated San Antonio’s push for annexation. Postwar population growth, industrial and residential suburbanization, and economic development opportunities prompted the city council in the 1940s to begin reining in the emerging metropolis. Suburbanization, especially, forced the city of San Antonio to act affirmatively in order to preserve coherence and influence on the region as hastily planned suburbs vied for services, and siphoned off potential sources of tax revenue (see Figure 1).

This last factor likely drove Mayor Maury Maverick’s decision to annex the South Side neighborhood of Harlandale in 1940. His plan marks the first example of what would soon become a continuing pattern of annexation in San Antonio. It also provoked fierce resistance by local home-owners. Led by Thurman Barrett, the community of nine thousand residents opposed annexation. However, rather than take the concerns of property owners seriously, Maverick and committee members mocked Harlandale residents, and Barret in particular. Maverick promised to prepare a “fancy document” signed by all the council members declaring Barret the “Duke of Harlandale” (Harlandale Annexation Studied,

1940). This incident characterized the city's disdain for opponents of annexation, an attitude that would endure for the remainder of the decade.

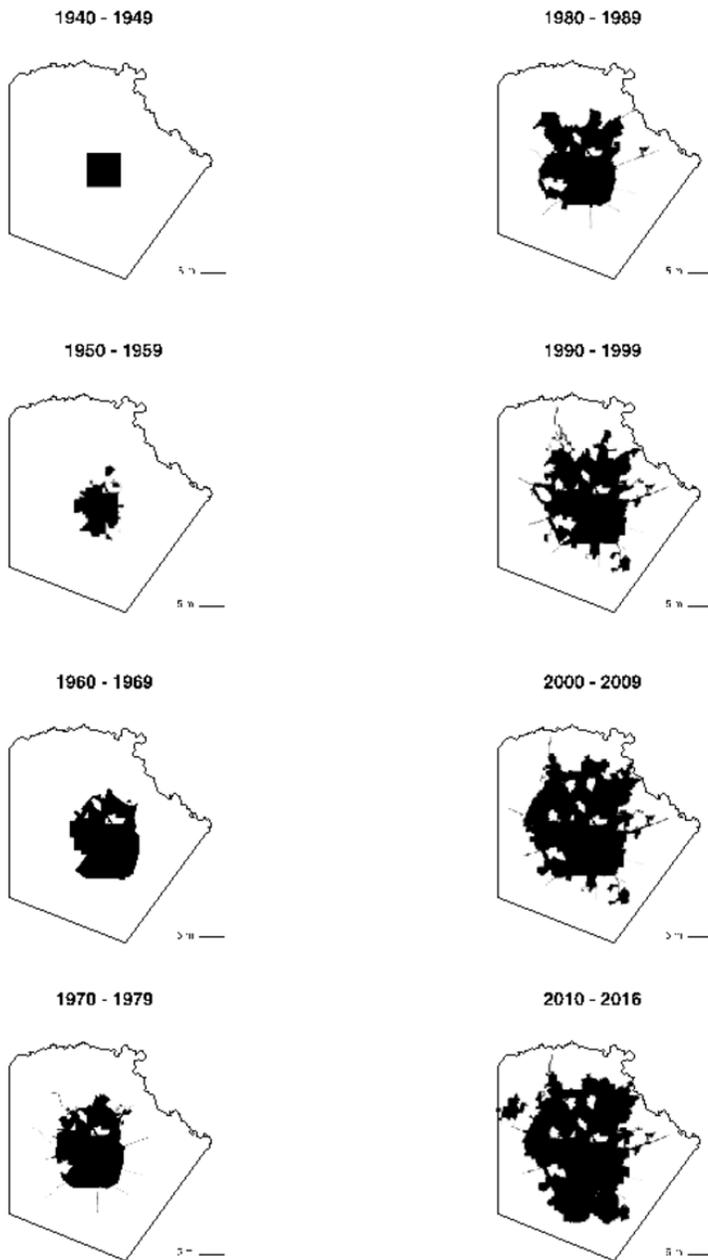


Figure 1: San Antonio annexations by decade. Source: (Maps by Authors, Data from City of San Antonio, 2017)

As World War II came to a close, metropolitan regions across the United States experienced a postwar boom in regional development. In anticipation of the boom, and in an effort to protect future assets, the city again initiated a series of sweeping annexation drives. Led by Mayor Gus B. Mauerman, the city used land acquisition as both a tool and a weapon against metropolitan fragmentation, thereby inaugurating San Antonio's first dedicated annexation regime. "I kept on my toes and never let any new suburbs grow," he explained, "I took them in[to the city] before they had a chance to grow." In 1944, the city approved a group of ordinances permitting the annexation of more than six thousand acres of unincorporated territory" (Fleischmann, 1977) New territory permitted larger scale growth. During this decade, the city added 29,500 residents by annexation, in addition to 124,900 new residents by migration and natural increase (Fleischmann, 1977).

By 1952, Suburban incorporation drives continued to threaten San Antonio's future growth and tax base. Under a

newly reformed city government running a council-manager system, San Antonio annexed 80 square miles of land and 32,000 new residents, more than doubling the size of the city (Booth and Johnson, 1983; Rosales, 2000). Acquiring and consolidating new territory into the existing political structure while stamping out resistance, the city's growth leaders found in annexation the power to shape a metropolitan region while avoiding political balkanization. Yet, the methods the city employed to achieve these ends provoked further resistance and ensured that the debates around annexation would only intensify as population numbers climbed, demographics shifted, and tax revenues and expenditures ballooned.

2.0 BIRTH OF THE NEW ORDER: THE GOOD GOVERNMENT LEAGUE AND ANNEXATION POLICY, 1952-1971

City reformers swept the 1955 council elections. This self-identified Good Government League (GGL), a group of businessmen, politicians, social elites, and ethnic middlemen, dominated local politics for the next eighteen years. To secure their power the GGL depended on ethnic patronage and the promise of government backing for the growth of private enterprise. In doing so, the GGL further established the use of annexation as a tool for economic development. To be sure, the GGL's growth agenda created opportunities for homeownership and small business entrepreneurship. Still, the GGL's continued neglect of social problems provoked grassroots movements for actual urban reform coming out of Chicano and African-American neighborhoods across the city. During this time, disenfranchised groups became more convinced than ever that annexation represented a tool to consolidate power in the hands of elites, thereby perpetuating the economic and social status quo in the city. Continued annexations only exacerbated these tensions. Under the GGL, San Antonio developed a growth pattern dubbed "spoke annexation." It allowed for the annexation of thin tracts of land that emanated out of the city boundaries, and in effect became a way of claiming territory in advance of official procedures. The areas located within the "spokes" became fertile development zones as builders anticipated annexation at a later date. These seemingly small annexations produced far less public rancor and enabled city officials to go about the business of growth unencumbered. Using this model, the city annexed more than 1,300 acres of territory between 1967 and 1970, with designs to fill in the gaps during subsequent waves of development (Fleischmann, 1977).

An example of this came at the beginning of April 1970, as Mayor McCallister announced a city plan to study annexation sites on the periphery of the city. The pause in annexation efforts in the previous year began to frustrate the mayor as he pushed for action in city growth (San Antonio Light, 1970). As a result, City Manager Gerald C. Henckel, Jr., announced in June that the city planned to annex a large tract of territory between the northern reach of Culebra Road and Interstate Highway 10. This area included the 600-acre site for the University of Texas at San Antonio to the outer loop 1604. The city justified the cost by pointing to a recently adopted gas connection fee that charged developers one hundred-fifty dollars to tap into city resources if the development was outside the city boundary, compared to thirty dollars if the development was sited inside city boundaries (San Antonio Light, 1970).

Yet, the annexation of this particular tract of land touched off a series of debates and a major legal challenge to San Antonio's spoke method of annexation. Bexar County Commissioner Albert Pena was among the most vocal critics of this plan. As an outspoken advocate for working-class ethnic Mexicans, as well as a keen opponent to the GGL agenda, Pena served an important role in local government to speak on behalf of those who had no civic voice (Rosales, 2000). From Pena's perspective, the University of Texas Board of Regents received a sweetheart deal from the city to site the university on the far northwest side. Instead he argued that the university would better serve students and taxpayers if it were located on the south side (Pena, 1970). Meanwhile, property owners in the community of Hills and Dales adjacent to the proposed UTSA site pushed for municipal incorporation in an effort to stave off annexation by the city. Simultaneously they filed a lawsuit challenging the city's annexation methods. Following a ruling in favor of the city in the Court of Civil Appeals, the case went for review at the Texas State Supreme Court (San Antonio Express, 1971). Ultimately, efforts by residents of Hills and Dales to establish and protect their autonomy failed as they became residents of the City of San Antonio.

3.0 MASSIVE GROWTH, MASSIVE RESISTANCE IN THE POST GOOD GOVERNMENT LEAGUE PERIOD 1971-1981

Repeated annexations, migrations, and natural increases combined with outmigration to far-flung suburbs began to shift the racial demographics of the city. Between 1960 and 1970, San Antonio transformed from a majority Anglo-city to a majority Latino-city. In the span of a decade, Latina/os went from 41.5 percent of the population to 52.2 percent of the population. Likewise, the percentage of Anglo population fell from 51.2 percent to 39.2 percent. And, African-Americans remained steady at 7 percent and 7.6 percent, respectively.

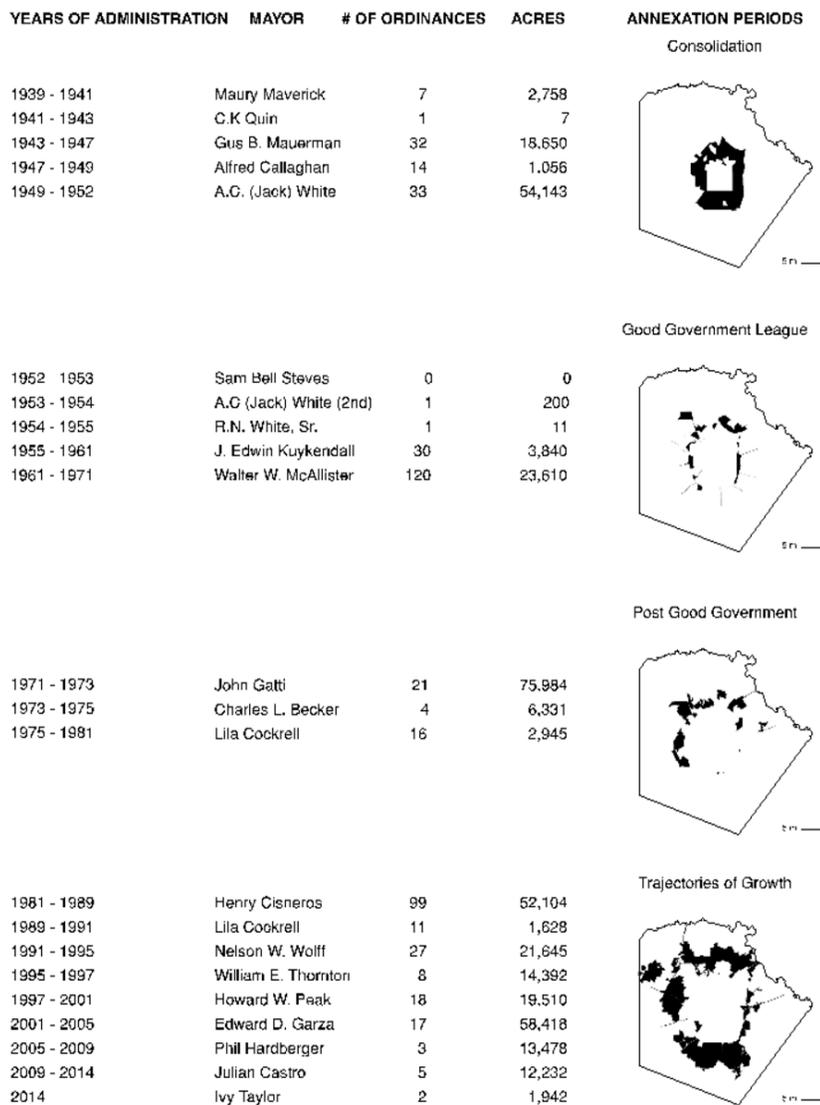


Figure 2: San Antonio annexations by mayoral administration. Source: (Maps by Authors, Data from City of San Antonio, 2017)

The city rolled out ambitious annexation plans in 1972, but faced resistance from local homeowners, small developers, and grassroots organization. A lawsuit brought by Ray Ellison Industries in May of that year prompted the city to shift their course of action from grabbing one large tract of land to taking smaller pieces of territory over an extended period of time (Reed, 1972). Likewise, the Mexican American Legal Defense and Education Fund (MALDEF) argued that the proposed north side annexations would only deepen the unequal quality of city services to the west and south sides. Additionally, the group feared that the city council, which was already overrepresented by Anglos from the north side, would remain out of reach for Mexican-American candidates (Rosales, 2000).

As pressure mounted, the GGL's foundation began to crack. Expansive territorial additions introduced backlogs in the delivery of water and efficient trash collection, and the police department also scrambled to cover new areas. Residents, unsurprisingly, complained of increased taxes despite receiving inferior services (Robinson, 1973). However, inefficient city services would prove to be the least of the city's problems related to the 1972 annexations. Several years later, the United States Justice Department determined that the city was in violation of the 1975 Voting Rights Act, which mandated fair government representation for all citizens.

San Antonio's at-large election format came under fire because, in the ruling of the Justice Department, newly acquired suburban tracts with majority Anglo residents held the potential to dilute the electoral representation of the city's Mexican-American communities, just as MALDEF had feared. Initially, the city challenged the judgment while the first female mayor in the city's history, Lila Cockrell, announced plans to sue the federal government. However, councilman

Henry G. Cisneros sought a more conciliatory path as he led an effort to re-write the city charter (Weser, 1976). Ultimately, the city opted for charter reform and agreed to abolish the at-large council elections and instead introduced a single-district format that would offer a fairer electoral process across the city (Cottrell and Stevens, 1978). More than any previous set of annexations, the 1972 annexations changed the political and social landscape of the city. Still, historical patterns of growth and the accompanying debates over annexation continued.

In October 1979, hundreds of protesters stormed a city council meeting to register their opposition to an annexation plan for a group of subdivisions in the southeast part of the metropolis near Lackland Air Force Base. The mix of Anglo, suburban home owners, and members of the predominantly Mexican-American grassroots organization Communities Organized for Public Service (COPS) represented a cross-section of the area. The former constituency charged that they would face prohibitive city taxes should the annexation plan succeed, whereas the latter group argued that sections of town comprised of working-class communities of color suffered neglect and stood to experience further alienation with each successive land grab. Despite the vigorous resistance, Mayor Lila Cockrell guided the council to a 6-4 vote in favor of annexation (Martin, 1979). Cockrell's determination to annex territory was driven by a commitment to keep San Antonio among the top ten most populous cities in the U.S. "It meant a great deal to be in the top ten," she declared, "you never hear about the top eleven or the top twelve." Perhaps even more importantly, she noted, there were one hundred federal grant programs up for grabs, all of which used population as one criterion for award (Annexation Called 'Must', 1979). This brought an end to a tumultuous decade of growth politics. Even as local opposition grew more intense, the city consolidated its power by adding formerly unincorporated districts, thereby avoiding the political problems of a fragmented metropolis. However, the demographic shift that saw ethnic Mexicans overtake Anglos as the majority population for the first time since the nineteenth century upended established growth-by-annexation strategies. In doing so, it also paved the way for a restyled vision of metropolitan expansion championed by one of the city's brightest stars.

4.0 CISNEROS ADMINISTRATION AND SAN ANTONIO'S EMERGENCE ONTO THE NATIONAL STAGE, 1980'S - PRESENT

In 1981, voters elected Henry Cisneros as mayor, the first Latino in that position since 1842. He began a decade long tenure that saw the city expand its territorial boundaries, principally because of his uncanny ability to negotiate consensus between competing factions. This skill enabled him to draw popular support while maintaining a business-friendly agenda (Rosales, 2000). On the heels of the 1970s when Latinos emerged as the majority population and dissent from working-class areas registered with greater force, Cisneros represented the voice of compromise. "What the population distribution means is that the cultures have to come to understand each other," he declared, "And that is what is happening. This is a city that has had to learn to accommodate different points of view" (King, 1983). In many ways Cisneros was the perfect figure to restore the trust of everyday residents in their city government, while promoting growth consistent with entrenched patterns. This did not mean he went unchallenged.

In January of 1985, fresh off a series of annexations that drew large swaths of the northwest side into the municipal boundaries, Cisneros and William Jovanovich, chairman of Harcourt Brace Jovanovich, Inc., together announced plans to build a Sea World theme park on sites along the 151 corridor (King, 1983). The announcement yielded a great deal of excitement among the business community, as Sea World promised to instantly make San Antonio an important national tourist destination while providing further opportunities for investment. Still, skepticism quickly surfaced, like that expressed by councilman Bernardo Eureste, a fearless critic of growth politics. Eureste charged that the city gave land speculators inside information, thereby creating an unfair advantage for developers with knowledge of the impending project. One local real estate broker admitted that prior to the public announcement, "the area where Sea World is [had] been hotter than a rock for the [previous] three months" (Rosales, 2000; Hawkins, 1985). The secrecy surrounding the deal damaged Cisneros's reputation, but did not break it. In subsequent years, he was able to attract a 15-million-dollar donation from Ross Perot to build a biotechnology park, arrange a papal visit, and secure an annual Professional Golf Association tournament (Rosales, 1986).

In many ways, the Sea World deal confirmed the core motivation for annexation politics in San Antonio since the end of World War II: suburban development. For decades, city leaders had tirelessly pursued land on the outskirts of town for economic opportunities, often securing benefits for friends and business partners along the way. This modus operandi assured that city government would continue to dominate San Antonio's political and economic landscape. Cisneros, despite the mayor's popular appeal among the local Latino population, guaranteed that the patterns established by GGL leadership would continue relatively intact. During the Cisneros Administration, the City completed 99 annexations, adding 52,104 acres (81.4 square miles) to San Antonio's municipal footprint (see Figure 2).

More recently, political progressives have come to view annexation as a vital strategy to extend environmental regulations to ecologically threatened areas. Specifically, two of the current annexation targets, Interstate Highway 10 West and US 281 North, are located over the fragile and critical recharge zone of the Edwards Aquifer in the northern part of the city. In theory, these areas would benefit from municipal restrictions that limit the amount of new

impervious groundcover that accompanies new buildings, streets, and parking lots. Such restrictions are intended to reduce the amount of water runoff that ends up in the storm sewer, while minimizing the amount of polluted water that flows into the aquifer. However, in a surprising twist, environmentalists—including representatives from the Greater Edwards Aquifer Alliance—have come to oppose the annexations, pointing out that the legal limits on impervious cover within the extraterritorial jurisdiction (ETJ) are more restrictive than San Antonio's current guidelines (Davila, 2016). Presumably the end-game of such environmental groups is to convince the city to increase its own restrictions on impervious ground cover. Meanwhile, additional opposition to the latest annexation targets is coming from residents who see the entire process as a threat to their local political autonomy. State Representative Lyle Larson (R-San Antonio) of Leon Springs is championing this position most loudly, not surprising given that in August 2016 the City Council voted to annex his district. Lyle last year introduced legislation that would require an affirmative vote from residents in order to annex an area with more than 200 people (1200 News Radio WOAI, 2017).

CONCLUSION

The history of annexation in San Antonio reveals that, where urban growth was concerned, the enduring competition between multiple, often diverging political interests produced a consistent outcome: the expansion of municipal boundaries. The city's 461 annexations and boundary adjustments since 1940 testify to the formative role that annexation played in the political and geographic growth of the city (List of Annexation Ordinances, 2014). This is not to say that proponents of annexation were motivated by singular ambitions, or that the practice has yielded a predictable result. To the contrary, the practice of annexation has generated a wide variety of impacts and opinions: what began as a way for municipal government to consolidate tax revenue has become a rallying cry for anti-tax groups; where progressive elites tout annexation as a tool for coordinated growth, proponents of localism instead see a threat to political autonomy; while the San Antonio business community enthusiastically leverages annexation to expand economic opportunity, disenfranchised groups claim that it simply allows political and economic elites to consolidate power; and while some peripheral communities hold the hope that annexation can help them acquire increased political access and municipal services, others see it as an empty promise, guaranteed only to raise taxes.

Nevertheless, we can make several critical observations about the historical impact of annexation on San Antonio's urban growth. First, while elites used the mechanism for decades to consolidate and extend their own political power, the Charter reform of the 1970s unquestionably spread the benefits of annexation more evenly across city populations. Today, City Council and council districts represent voices that decades ago did not enjoy access to power. Still, the larger impact of the council system turned out to be more political than economic, as the vast majority of economic growth continues to appear on the north side of the city, which is disproportionately Anglo.

Second, the practice of annexation allowed San Antonio's city government to capture a growing regional population and tax base that would have otherwise been lost to neighboring municipalities. It is no accident that San Antonio today boasts the seventh largest population among U.S. cities, despite its location within the twenty-fifth largest metropolitan statistical area in the country (United State Census Bureau, 2017). San Antonio's standing as one of the ten most populous cities in the U.S. continues to enhance the city's national profile, helping it to attract new businesses and investment—a fact not lost on Mayor Cockrell over four decades ago. Annexation additionally prevented the political fragmentation seen in so many other U.S. cities, allowing the city to maintain a relatively cohesive—if often contentious—public discourse.

Third, the practice of annexation in San Antonio accelerated the centrifugal expansion of population and investment. Massive decentralization resulted in the dispersion of industrial and residential program away from the city center and towards the suburban periphery. With the pattern of northward growth firmly established by the 1970s, annexation did more than stretch the political boundaries of the city. The integration of existing and self-sustaining neighborhoods exacerbated suburban isolation and increased overall wariness of centralized planning processes.

Finally, despite the positive overall impact of the city council system, the patience of working-class San Antonians wore thin as their communities continued to suffer infrastructural and representational neglect. In this regard, annexation intensified tensions up and down the class spectrum, and across racial lines. When the Justice Department found the city in violation of the 1975 amendments to the Civil Rights Act that guaranteed representative government, the city was forced to redesign its charter. Despite such signal achievements, the business of growth persists and is accelerating. Slow-growth NIMBYism has since become a steady companion to municipal expansion. This tension continues to produce fierce public debates over the limits of homeownership, environmental degradation, class privilege, and the integration of underrepresented people into civic life.

Against this complex and evolving backdrop, annexation continues to define spatial politics in San Antonio today. The long history of annexation has resulted in a widespread—at times fatalistic—acceptance of the practice. As local Council member Mike Gallagher recently concluded, “[w]e’re going to grow, no matter what. Either we are going to control it or someone else will” (Ortiz, 2015). So it is that the residents of San Antonio, like so many other Sunbelt denizens, can

expect to contend with the continued costs and benefits of municipal annexation in the decades to come.

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