

Main Point: This committee is conflating two separate issues, and there is no evidence to suggest both aims cannot be successfully achieved simultaneously.

- **Issue 1: Protecting citizens from forced annexation:**

When cities can forcibly annex citizens miles from city centers against their will, Texas property owners find themselves living under new governments, ordinances, taxes, and debt in which they never had a say. In the most egregious cases of forced annexation, residents gain no new services from the city while their appraised property value and taxes skyrocket. Governor Abbott called this "land piracy" in his press conference for a special session. Others have referred to it as taxation without representation.

Ending forced annexation simply requires a vote or petition process in which the majority of citizens being annexed have the opportunity to give their consent. Legislation that would have preserved this right to vote by the citizens was filibustered and is now a special session item.

- **Issue 2: Protecting the value of our military installations:**

There is no denying the economic contribution of our state's military installations. Every Texas lawmaker wants to do everything we can to protect our bases as long as we are also protecting the rights of Texas citizens. Fortunately, there are a number of tools in the toolbox that we can and have used to increase the value of our bases and to protect their mission. In fact, the very Governor who put annexation reform on the call for a special session also fought to include \$20 million for DEAG funding in the budget and has a task force dedicated to protecting our military bases.

Our military is important not just because of the economic gains it brings to our state and cities, but more importantly, for its critical and storied role in defending our freedoms. These freedoms undoubtedly include the right to determine who governs us and to have a democratic say at the federal, state, and local level. That's really what annexation reform is all about - protecting the right of the citizen to vote.

Existing Tools to Address Military Encroachment

- **Dark Sky Ordinances:**

Dark sky ordinances are in place around Camp Bullis in Bexar and Comal Counties. For those that suggest they are not enforced as well or as often as they should be, that is an enforcement issue. It may be a county funding issue. It's most certainly not an annexation issue.

- **Defense Economic Adjustment Assistance Grants (DEAAG):**

Working with Bexar County last year, the state approved and utilized \$5 million in DEAAG dollars to purchase land adjacent to Randolph Air Force Base. This solution protected the southern runways from encroaching development while respecting the property rights of private land owners. Governor Abbott has put more dollars toward DEAAG funding than any of our previous governors. That includes \$30 million in the 2016-17 budget, and \$20 million in the 2018-19 budget.

- **Conservation Easements and Parks:**

The best way to insulate our bases is through conservation easements and purchasing private land for parks along existing fence line when appropriate. The implementation of more restrictions and ordinances on property owners around military bases without proper compensation could otherwise be determined to be a regulatory taking, unconstitutional under state law.

Under state law, cities and counties have the ability to partner with military bases to increase awareness of potential developments and construction. House Bill 1640, authored by Rep. Farias and sponsored by Sen. Campbell in the 84th Legislature, provides an example of early disclosure regarding potential land use between defense installations and communities.

- **Tall Structures Near Air Facilities:**

The construction of any tall structure that could impact flight paths must be approved by a Joint Airport Zoning Board under Section 241 of the Local Government Code, set up either through the city or county.

Has Annexation by San Antonio Prevented Development?

There is no evidence that annexation by the City of San Antonio has curbed development around Camp Bullis. In fact, if you compare development inside and outside the city limits within a five mile perimeter around the base, you quickly learn that the tallest structures and densest developments are ALL located within the City Limits of San Antonio. It's almost impossible to find a structure taller than two stories outside the city limits.

If annexation was the key to preventing development around the base, these results would be reversed, wouldn't they? In fact, one could make the argument that because the city gains sales tax revenue from all this development, that they are more likely to encourage and fast-track it.

A Few Examples:

- Six Flags Fiesta Texas is within five miles of Camp Bullis and includes a 55 meter tall (or approximately 20 stories high) roller coaster.
- The Rim Shopping Mall is within four miles, includes a multiplex cinema and 1.8 million square feet of shops, hotels, and restaurants.
- Top Golf is a four story driving range with huge outfield stadium lights that the City recently approved to be built within three miles of Camp Bullis.
- NuStar Energy and Elian Luxury Apartments are multi-story buildings overlooking hilltops located in the city within 5 miles of Camp Bullis.

What about this development and these structures - all approved by the city - makes them less of a threat to Camp Bullis than a homeowner who has been residing in the country minding their own business for the past 30 years? Are we really suggesting the right of the citizen to vote on who governs should be void because 20+ years ago they chose to live outside the city near a military base?