

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS

COUNTY OF FORT BEND

Before me, the undersigned authority, on this day personally appeared Seshadri Kumar who being by me duly sworn, deposes and says that he is the publisher of **Fort Bend Independent** and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. It devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. It is published at least once each week;
3. It is entered as second-class postal matter in the county where it is published; and
4. The following notice was published on

August 14, 2019

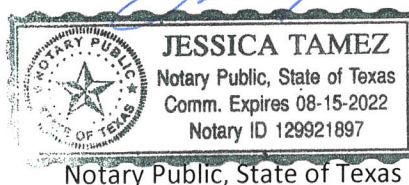
Fort Bend County Traffic Notices: TRAFFIC Bellaire Boulevard Street Dedication Section 1; Bonbrook Plantation North, Section 13; Fairpark Village, Section 9; Hamlink Road; Heritage Bluff Drive and Trinity Woods Crossing; Mirandola Lane Street Dedication; River Glade Lane within Pecan Ridge; Sunrise Meadow Drive; Tamarron, Section 26; and Walnut Creek Section 25.

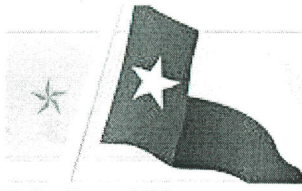
Seshadri Kumar
Publisher

SUBSCRIBED AND SWORN BEFORE ME by Seshadri Kumar who

- (a) Is personally known to me, or
- (b) Provided the following evidence to establish his/ her identity,

On this the 16th day of October 2019 to certify which witness my hand and seal of office.





**FORT BEND
INDEPENDENT**
FAIR. BALANCED. INFORMATIVE.

P.O. Box 623
Sugar Land, TX 77487-0623
Phone: 281-980-6745

INVOICE

DATE
10/16/2019
INVOICE NUMBER
6546

BILL TO:
County Judge KP George Fort Bend County 301 Jackson St , Suite 719 Richmond, TX 77469

*PD 171383
Rec 513229
S*

QTY	PERIOD	DESCRIPTION	AMOUNT
10	8/14/2019	10 traffic notices, 4 inches each @ \$4.59: TRAFFIC Bellaire Boulevard Street Dedication Section 1; Bonbrook Plantation North, Section 13; Fairpark Village, Section 9; Hamlink Road; Heritage Bluff Drive and Trinity Woods Crossing; Mirandola Lane Street Dedication; River Glade Lane within Pecan Ridge; Sunrise Meadow Drive; Tamarron, Section 26; and Walnut Creek Section 25	\$183.60
3	8/21/2019	Three traffic notices, 4 inches each @ \$4.59: Learning Tree Lane Extension Street Dedication; Creekside Ranch, Section 8 and Grand Vista Springs Boulevard. 8;	\$55.08
5	9/4/2019	Five traffic notices, 4 inches each @ \$4.59: Intersection of Mount Logan at San Marco Drive; Masons Field Road; Bonbrook Plantation South, Section 5; Sendero Tract Canyon Fields Drive Street Dedication; anMcCrary Meadows, Section 4d	\$91.80
4	9/11/2019	4 traffic notices, 4 inches each @ \$4.59: TRAFFIC Jeske Road; Sienna Planation, Section 15A; Fort Bend ISD High School No. 11; and Aliana, Section 69	\$73.44

	Current Invoice: \$403.92
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Payment is due upon receipt. Thank you for your business.

FORT BEND COUNTY LEVEE IMPROVEMENT DIST. NO. 2 Third Storm Water Pump Station-Bid Package No. 3 INVITATION TO BIDDERS

Soleid Bids, in duplicate, addressed to Fort Bend County Levee Improvement District No. 2, Attention: Mr. Andre McDonald, President, Board of Directors, will be received at the office of AECOM, 19219 Katy Freeway, Suite 100, Houston, Texas 77094, until 2 p.m. Local Time, September 30, 2019, and then publicly opened and read for Third Storm Water Pump Station Bid Package No. 3 for Fort Bend County Levee Improvement District No. 2, Fort Bend County, Texas. Scope of Work of the Contract covers construction of a third stormwater pump station including: (a) concrete intake structure, well, slide gates, operation deck; (b) concrete bar screen and well wall structure with ladder and baffle walls; (c) pump, electrical, and storage rooms with associated HVAC and architectural elements; (d) purchase and installation of mechanical bar screens; (e) purchase and installation of electrical equipment required for pump and bar screen operation, site lighting, and operation of all ancillary equipment; (f) coordination of installation and testing of stormwater pumps with pump and motor vendor, Engineer, and Owner; (g) concrete outfall structure and energy dissipation structure; and (h) all civil site work associated with the construction above. Bids received after the closing time will be returned unopened. A MANDATORY pre-bid conference will be held on August 21, 2019, at 10 a.m. Local Time, at the storm water pump station site, 4435 Gnystrone Way, Sugar Land, Texas. Attendance by each prospective bidder or its representative at the pre-bid conference is MANDATORY. Each Bid must be accompanied by a Bid Bond or a certified or cashier's check, acceptable to the Owner, in an amount not less than five percent (5%) of the total amount Bid, as a guarantee that the successful bidder will enter into the Contract and execute the Bonds on the forms provided, and provide the required insurance certificates within seven (7) days after the date Contract Documents are received by the Contractor. Copies of the bidding documents may be obtained from www.CivcastUSA.com; search Third Storm Water Pump Station. Bidders must register on this website in order to view and/or download drawings and specifications for this Project. There is NO charge to view or download documents. The Owner reserves the right to reject any or all Bids and to waive all defects and irregularities in bidding or bidding process except time of submitting a Bid. The Successful Bidder, if any, will be the responsible Bidder which in the Board's judgment will be most advantageous to the District and result in the best and most economical completion of the Project.

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Walnut Creek, Section 29, Precinct 1.

The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.

Submitted by, **Laura Richard Fort Bend County Clerk**

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Fairpark Village, Section 9, Precinct 1.

The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.

Submitted by, **Laura Richard Fort Bend County Clerk**

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Sunrise Meadow Drive within Sunrise Meadow Sections 4 and 5, Precinct 1.

The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.

Submitted by, **Laura Richard Fort Bend County Clerk**

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Tamaron, Section 26, Precinct 3.

The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.

Submitted by, **Laura Richard Fort Bend County Clerk**

THE STATE OF TEXAS CITATION BY PUBLICATION

TO ANTHONI JEROME TERRELL 3324 KALER RANCH KATY TX 77494

You have been sued. You may employ an attorney if you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of forty-two days from the date of issuance of this citation, same being September 02, 2019 a default judgment may be taken against you. The case is presently pending before the 400TH JUDICIAL DISTRICT COURT of Fort Bend County sitting in Richmond, Texas. It bears case number 18 DCV 251526 and is styled: State of Texas vs. \$2,300 US Currency.

The name and address of the attorney for PLAINTIFF OR PETITIONER is: MARK LAFORCE, ASSISTANT DISTRICT ATTORNEY, 301 JACKSON ST, RICHMOND TX 77469, 281-633-7638.

The nature of the demands of said PLAINTIFF OR PETITIONER is as follows to-wit:

WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAYS THAT THIS PETITION BE CONSIDERED AN ORIGINAL NOTICE OF SEIZURE AND INTENDED FORFEITURE AND THAT CITATION ISSUE TO THOSE PARTIES AS SET OUT IN THIS PETITION; THAT UPON HEARING THIS COURT FIND THAT THE \$2,300.00 US CURRENCY IS CONTRABAND AS DEFINED IN THE TEXAS CODE OF CRIMINAL PROCEDURE, ARTICLE 59.01 (2) AND THAT THE COURT ALLOW FORFEITURE OF THE ABOVE DESCRIBED PROPERTY TO THE STATE OF TEXAS BY AND THROUGH THE OFFICES OF THE DISTRICT ATTORNEY OF FORT BEND COUNTY, TEXAS, AS AGENT FOR THE STATE AND IN ACCORDANCE WITH THE LOCAL AGREEMENTS, SUBJECT ONLY TO ANY INTEREST OF THE BONA FIDE HOLDER OF THE PERFECTED LIEN OR PERFECTED SECURITY INTERESTS ON SAID CONTRABAND AND THAT THE PROPERTY BE DISPOSED OF PURSUANT TO ARTICLE 59.06 OF THE TEXAS CODE OF CRIMINAL PROCEDURE AND ALL COSTS BE TAKEN AGAINST CLAIMANT IN THIS CASE AND FOR SUCH OTHER RELIEF AT LAW AND IN EQUITY AS THE PETITIONER SHALL BE ENTITLED TO RECEIVE.

If this Citation is not served, it shall be returned unserved, issued under my hand and seal of said Court, at Richmond, Texas on this the 17th day of July, 2019.

DISTRICT CLERK BEVERLY MCGREW WALKER FORT BEND COUNTY, TEXAS Physical Address: 1422 Eugene Heimann Circle, Room 3104, Richmond, Texas 77469

Mailing Address: 301 Jackson St., Room 101 Richmond, Texas 77469 Deputy District Clerk Autumn Olivick (281) 633-3279

THE STATE OF TEXAS CITATION BY PUBLICATION

TO YUCEY PEREZ 2711 TEAGUE ROAD #428 HOUSTON TX 77080

You have been sued. You may employ an attorney if you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of forty-two days from the date of issuance of this citation, same being September 02, 2019 a default judgment may be taken against you. The case is presently pending before the 488TH JUDICIAL DISTRICT COURT of Fort Bend County sitting in Richmond, Texas. It bears case number 18 DCV 254247 and is styled: State of Texas vs 2003 Ford F-450 (VIN 1 FDXF46939E93016 Paper Tag No. Q1691 U5)

The name and address of the attorney for PLAINTIFF OR PETITIONER is: MARK LAFORCE, ASSISTANT DISTRICT ATTORNEY, 301 JACKSON ST, RICHMOND TX 77469, 281-633-7638.

The nature of the demands of said PLAINTIFF OR PETITIONER is as follows to-wit:

WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAYS THAT THIS PETITION BE CONSIDERED AN ORIGINAL NOTICE OF SEIZURE AND INTENDED FORFEITURE AND THAT CITATION ISSUE TO THOSE PARTIES AS SET OUT IN THIS PETITION; THAT UPON HEARING THIS COURT FIND THAT THE 2003 FORD F-450 (VIN 1 FDXF46939E93016) PAPER TAG NO. Q1691 U5 IS CONTRABAND AS DEFINED IN THE TEXAS CODE OF CRIMINAL PROCEDURE, ARTICLE 59.01 (2) AND THAT THE COURT ALLOW FORFEITURE OF THE ABOVE DESCRIBED PROPERTY TO THE STATE OF TEXAS BY AND THROUGH THE OFFICE OF THE DISTRICT ATTORNEY OF FORT BEND COUNTY, TEXAS, AS AGENT FOR THE STATE AND IN ACCORDANCE WITH ITS LOCAL AGREEMENTS, SUBJECT ONLY TO ANY INTEREST OF THE BONA FIDE HOLDER OF THE PERFECTED LIEN OR PERFECTED SECURITY INTERESTS ON SAID CONTRABAND AND THAT THE PROPERTY BE DISPOSED OF PURSUANT TO ARTICLE 59.06 OF THE TEXAS CODE OF CRIMINAL PROCEDURE AND ALL COSTS BE TAKEN AGAINST CLAIMANT IN THIS CASE AND FOR SUCH OTHER RELIEF AT LAW AND IN EQUITY AS THE PETITIONER SHALL BE ENTITLED TO RECEIVE.

If this Citation is not served, it shall be returned unserved, issued under my hand and seal of said Court, at Richmond, Texas on this the 17th day of July, 2019.

DISTRICT CLERK BEVERLY MCGREW WALKER FORT BEND COUNTY, TEXAS Physical Address: 1422 Eugene Heimann Circle, Room 3104, Richmond, Texas 77469

Mailing Address: 301 Jackson St., Room 101 Richmond, Texas 77469 Deputy District Clerk Ashley Alanki (281) 633-7616

INSURANCE

New Texas law regarding insurance deductible rebating for home repairs

By BASIL HOUSEWRIGHT
A new law in Texas that goes into effect on Sept. 1, 2019 makes it clear that it's illegal for a contractor or roofer to waive an insurance deductible, according to the state insurance department. After a major storm, contractors including some scam artists, are quick to arrive on the scene. Unfortunately, many times this leads to shoddy repairs, fake contracts, and other problems. The Texas Department of Insurance created a special

fraud unit that meets with local officials after a disaster and explains steps they can take to protect residents from contractor scams.

One selling point some contractors often use is offering to waive or absorb the homeowner's deductible.

The contractor then may cut corners, use lower quality products, or inflate the bill sent to the insurance company to cover the difference. It is illegal for contractors or roofers to offer to waive a deductible or promise a rebate for all or part of a deductible.

Waiving insurance policy deductibles has been common place in Texas since 1989 and came about as the result of a poorly worded statute passed that same year that contractors have basically ignored. Some homeowners were lured into signing contracts with the contractors based on promises, for example, of a "free repair." And then, homeowners as insurance



Housewright

policyholders were duped into committing insurance fraud when in submitting a request pursuant to their policy for replacement cost (RCV) recoverable depreciation by failing to tell their insurance company that the deductible part of the claim had not been incurred.

What this means, again for example, before the new law, is that the repair job a homeowner got where the deductible was waived, forgiven or buried in other ways in the contractor's paperwork, will now be required as payment out-of-pocket and proof that it was paid before the insurer is obligated to pay the replacement cost (RCV) recoverable depreciation withheld.

HB 2102, by Rep. Giovanni Capriglione, is effective Sept. 1, 2019. Under the new law, vio-

lators could get up to a \$2,000 fine and up to six months in jail. This new bill out of the 86th Texas Legislature and signed into law this month by Governor Abbott is designed to cure or at least curb the above abuses.

The new law, entitled Payment of Insurance Deductible, goes into effect September 1, 2019, and will be located in Chapter 707 of the Texas Insurance Code.

The first full paragraph states: "A person insured under a property insurance policy shall pay any deductible applicable to a first-party claim made under the policy" See Tex. Ins. Code §707.002. This really has always been the law but has been ignored and not enforced. Be careful when filing home insurance claims and having repairs made when dealing with these issues.

Source: Texas Department of Insurance

Basil Housewright is manager of *Texans Insurance & Financial Group, Inc.* a local Independent Insurance Agency operating in Sugar Land since 1991. He can be reached at (281) 277-7800, Fax (281) 277-7801. E-Mail - basil@texansinsurance.com. Visit <http://www.texansinsurance.com>.

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Biobooks Plantation North, Section 13, Section 14, and Bonbrook Plantation South, Section 10, Precinct 1. The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter. Submitted by, **Laura Richard Fort Bend County Clerk**

City of Missouri City

NOTICE OF PUBLIC HEARING

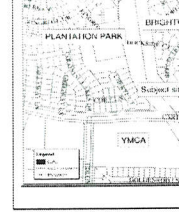
LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Tuesday, September 3, 2019, at the City Council Chambers - 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

PURPOSE: To receive comments for or against a request by Cynthia Ramirez, STOA Architects to zone a property from LC-2, local retail district and SUP, Specific Use Permit No. 40 (Ordinance O-0133) to PD, Planned Development District to allow for a unified development to include independent living and assisted living; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

SITE LOCATION: The subject site is located north of the Enclave residential subdivision and Fort Bend Family YMCA, south and west of the Brightwater residential subdivision and east of Plantation Park residential subdivision.

SITE LEGAL DESCRIPTION: The subject site can be described as being all of Reserve A, Southminster at Brightwater, Section 2, according to the map or plat thereof recorded instrument number 20071513 of the Official Public Records of Fort Bend County, Texas.

FOR MORE INFORMATION: Additional information and a map of the subject site are available for review at City Hall, Missouri City, Texas on Monday through Friday from 8:00 a.m. to 4:00 p.m. You may call 281-403-8600 or email the Development Services Department-Planning Division at planning@missouricitytx.gov for further information.



City of Missouri City

ORDINANCE NO. O-19-14

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, ESTABLISHING A MAXIMUM SPEED LIMIT FOR A SCHOOL ZONE ON NIGHTS; COURT FOR ELKINS HIGH SCHOOL LOCATED WITHIN THE CITY, INCLUDING DESIGNATING A LOCATION AND TIMES; PROVIDING FOR REPEAL; PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.

I, Maria Jackson, City Secretary of the City of Missouri City, do hereby certify that the foregoing is a true and correct copy of the captioned said Ordinance No. O-19-14 approved on second and final reading by the City Council at its regular meeting held on August 5, 2019, as the same appears in the records of my office.

/s/ Maria Jackson City Secretary

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Heritage Bluff Drive and Timmy Woods, occurring within Westheimer Lakes Subdivision, Precinct 3. The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter. Submitted by, **Laura Richard Fort Bend County Clerk**

PUBLIC HEARING NOTICE

The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Heritage Bluff Drive and Timmy Woods, occurring within Westheimer Lakes Subdivision, Precinct 3. The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter. Submitted by, **Laura Richard Fort Bend County Clerk**

IN THE ESTATE OF ROBBY WILLIAM SCHNICK A.K.A. ROBERT WILLIAM SCHNICK DECEASED

Notice is hereby given that original Letters Testamentary for the Estate of Robby William Schnick AKA Robert William Schnick, Deceased, were issued on July 22, 2019, in Cause No. 19-CPR-03245, pending in the County Court at Law No. 6, Fort Bend County, Texas, to Marlene Rae Schnick. All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

DATED the 5th day of August, 2019.

IN THE COUNTY AT LAW NO. 6 FORT BEND COUNTY, TEXAS

NOTICE TO CREDITORS
Stephanie J. Stigant Attorney at Law 407 Julie Rivers Drive Sugar Land, TX 77478
Stephanie J. Stigant Attorney for Marlene Rae Schnick State Bar No.: 24058733 407 Julie Rivers Drive Sugar Land, TX 77478 Telephone: (281) 242-8100 Facsimile: (281) 242-7474 E-mail: ststigant@stastorneys.com

City of Missouri City

NOTICE OF PUBLIC HEARING

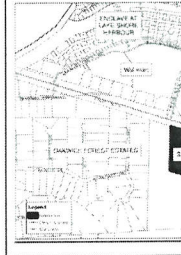
LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Tuesday, September 3, 2019, at the City Council Chambers - 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

PURPOSE: To receive comments for or against a request by Maria Villareal, The Interleaf Group to zone an approximately 14.11 acre tract of land from SD, suburban district to LC-3, retail district; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

SITE LOCATION: The subject site is located south of Vicksburg Boulevard and State Highway 6, east of the Oakwick Forest Estates west of a Finstone Complete Auto Care.

SITE LEGAL DESCRIPTION: The subject site can be described as being a 14.11 acre tract out of a 49-4061 acres (called SD 302) recorded in Volume 263, page 399, Fort Bend County Deed Records, located in Moses Shipman League, A-86, Fort Bend County, Texas.

FOR MORE INFORMATION: Additional information and a map of the subject site are available for review at City Hall, Missouri City, Texas on Monday through Friday from 8:00 a.m. to 4:00 p.m. You may call 281-403-8600 or email the Development Services Department-Planning Division at planning@missouricitytx.gov for further information.



City of Missouri City

NOTICE OF PUBLIC HEARING

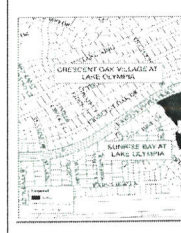
LOCATION/DATE: The City Council of the City of Missouri City will hold a public hearing on Tuesday, September 3, 2019, at the City Council Chambers - 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

PURPOSE: To receive comments for or against a request by META Planning + Design LLC to zone a property from R-3, two family residential district and SD, suburban district to PD, Planned Development District to allow for a unified development to include commercial and residential uses; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

SITE LOCATION: The subject site is located south of Crescent Oak Village at Lake Olympia and Park Edge residential subdivisions, east of Sunrise Bay at Lake Olympia residential subdivision and west of Olympia Estates residential subdivision.

SITE LEGAL DESCRIPTION: The subject site can be described as being a tract of land containing 13.356 acres situated in the David Bright League, A-13, Fort Bend County, Texas being the same tract recorded in the name of Solstice Capital LLC under Fort Bend County Clerk's File #B.C.C.F. No. 20150571999 of the Official Public Records of Fort Bend County, Texas.

FOR MORE INFORMATION: Additional information and a map of the subject site are available for review at City Hall, Missouri City, Texas on Monday through Friday from 8:00 a.m. to 4:00 p.m. You may call 281-403-8600 or email the Development Services Department-Planning Division at planning@missouricitytx.gov for further information.



NEWS

Attorney West rebuts FBISD's claims; shows district court has still jurisdiction in Sugar Land 95 case

By SESHADRI KUMAR

Fort Bend ISD's "Nonsuit" did not divest the District Court of jurisdiction to ensure the proper resettlement of the exhumed bodies and the district court has a continuing duty to oversee the reinterment of bodies exhumed by the court's order, attorneys for Scott S. West, real party in interest in the Sugar Land 95 case, said in an answer filed on Monday with Court of Appeals for the First District in Texas.

His response was to the school district's petition challenging the appointment of a guardian and court master for the Sugar Land 95 by Fort Bend County District Judge Jim Sheemake.

The law firm Hogan & Hogan from Houston is representing Scott West.

(Another Real-Party-in-Interest is Michael W. Elliott, court-appointed master-inchancery and his counsel on mandamus is Kristen Jerigan of Georgetown, Texas.)

The court's jurisdiction exists independently of, and survives, FBISD's nonsuit. Here the district court's jurisdiction is prescribed by Chapter 711 of the Texas Health and Safety Code, which confers considerable discretion on a district court to decide whether to exhume bodies; whether to remove remains from a cemetery plot; whether removal of a cemetery designation is in the public interest; whether the removal of bodies from a cemetery is in the public interest; and once exhumed, where and how bodies should be reinterred.

"None of those decisions may be made by the property owner (FBISD) without the court's approval (and, in some cases, consent by the family). To be clear, FBISD has not sought, and does not have, consent from any family member of the decedents."

Accordingly, these decisions must be made by the district court, and it has the jurisdiction under Chapter 711 to do so, West's attorneys argued.

The Legislature has authorized district courts to designate or appoint any other person, party, court-appointed representative, or official deemed necessary in

deciding the public interest. The Legislature also enlarged the list of permissible locations in which remains that are removed from a cemetery may be reinterred. Whether exhumed bodies are to be reburied elsewhere or in the same place where they were found, in either case the district court has the authority to direct and oversee such reinterment.

"FBISD has no authority to act without court approval. Conspicuously absent from this statutory scheme is any authority conferred on property owners to act without approval from a district court or family member."

"Specifically, FBISD could not remove the bodies from their graves without court order, see § 711.010; or rebury the bodies—even on its own property—once they have been removed from their graves, without court approval.

"If a property owner could divest the district court of jurisdiction over exhumed bodies simply by nonsuiting its claim, the owner could effectively thwart legislative intent by acting without court approval and without regard to the public's interests. The consequences of such a holding would be disastrous.

The mere filing of a nonsuit does not completely terminate the trial court's ability to act; it is only upon the expiration of the court's plenary power that it loses jurisdiction.

"Here, the district court has not yet signed an order of dismissal, and Relator has not asked him for such an order.

"The most pressing of these questions is, of course, what should be done with 95 bodies in a storage crate sitting on a school parking lot?"

"Only the district court may make this decision, after deciding the best interests of the community.

"The court's resolution of that question has a very definite and practical legal effect on the property owner, on the decedents and their as-yet unidentified relatives; and on the community itself. The court retains jurisdiction to resolve these collateral, justiciable questions

that remain after the nonsuit. "The court retains jurisdiction to resolve these collateral, justiciable questions that remain after the nonsuit."

"FBISD acknowledged that the district court's approval was required to exhume the bodies for historical investigation.

"Such exhumation was requested so that FBISD could 'gather additional historical data regarding the FBISD Burial Site, including the sex, age, race, medical condition, and possible causes of death of the humans laid to rest at the FBISD Burial Site.'"

"For this reason, the Court should lift its stay order and permit Mr. West to file his planned application for temporary restraining order, to preserve the status quo and this Court's jurisdiction."

On June 5, 2018, the court granted FBISD's request to exhume the Sugar Land 95.

The order granting FBISD's petition stated, in part, that "Until further order of the court, no remains or graves will be removed from the tract of real property... except for temporary removal for the purpose of X-ray analysis."

After laboratory testing, the bodies were placed in Conex storage trailers on the property while construction resumed. That is still the situation: the bodies of 95 humans are still "sitting in trailers" in the school parking lot.

The district court held a status hearing on December 18, 2018.

By then, the record reflects, FBISD knew the possible identification of at least one, and perhaps as many as twenty-one, of the bodies.

One of the decedents had undergone a medical amputation that "matches up with" records in FBISD's possession. The master-inchancery stated, "[I]t may not be DNA perfect, but I think they have a very good idea of who at least 21 of these individuals are."

The court has sought any possible information that might be used to identify the Sugar Land 95, because their descendants may have a statutory right to participate in this proceeding.

PUBLIC HEARING NOTICE
The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Bellaire Boulevard Street Dedication, Section 1, within Lakeview Estates Subdivision, Precinct 2.
The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.
Submitted by:
Laura Richard
Fort Bend County Clerk

PUBLIC HEARING NOTICE
The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Miranda Lane Street Dedication and Reserves, within Sanderio Subdivision, Precinct 3.
The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.
Submitted by:
Laura Richard
Fort Bend County Clerk

PUBLIC HEARING NOTICE
The Commissioners Court of Fort Bend County, Texas has set a public hearing on Tuesday, September 3, 2019, at 1:00 p.m. for acceptance of the traffic control plan for Glade Lane within Pecan Ridge at Riverstone, Precinct 4.
The hearing will be held in the Commissioners Courtroom at 401 Jackson Street, Second Floor, Richmond, Texas. You are invited to attend and state your approval or objection on this matter.
Submitted by:
Laura Richard
Fort Bend County Clerk

CCM 09-03-2019
item # 5B - 1-10

NOTICE OF 2019 TAX YEAR PROPOSED PROPERTY TAX RATE FOR FORT BEND COUNTY GENERAL FUND

A tax rate of \$0.444700 per \$100 valuation has been proposed for adoption by the governing body of Fort Bend County General Fund. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of Fort Bend County General Fund proposes to use revenue attributable to the tax rate increase for the purpose of funding Other Post-Employment Benefits (OPEB), increased operations and maintenance costs of Health and Human Services, law enforcement and other ancillary services required by the rapid growth of population in Fort Bend County.

PROPOSED TAX RATE \$0.444700 per \$100
PRECEDING YEAR'S TAX RATE \$0.445000 per \$100
EFFECTIVE TAX RATE \$0.428607 per \$100
ROLLBACK TAX RATE \$0.455017 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for Fort Bend County General Fund from the same proportions in both the 2018 tax year and the 2019 tax year.

The rollback tax rate is the highest tax rate that Fort Bend County General Fund may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

property tax amount=(rate) x (taxable value of your property)/100

For assistance or detailed information about tax calculations, please contact:

Carrie Surratt
Fort Bend County General Fund tax assessor-collector
1317 Eugene Heimann Circle Richmond, TX 77469
281-341-3710
Carrie.Surratt@fortbendcountytexas.gov
www.fortbendcountytexas.gov

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: **August 28, 2019 at 5:30 p.m.** on the second floor of the Fort Bend County Courthouse, Commissioners Courtroom, 401 Jackson Street Richmond, Texas 77469.

Second Hearing: **September 3, 2019 at 1:00 p.m.** on the second floor of the Fort Bend County Courthouse, Commissioners Courtroom, 401 Jackson Street, Richmond, Texas 77469.

NOTICE OF PUBLIC HEARINGS ON PROPOSED FY 2020 BUDGET FOR FORT BEND COUNTY

The Commissioners Court of Fort Bend County will conduct two public hearings on the Proposed Fiscal Year 2020 Budget for Fort Bend County. The Public Hearings will be held before the Commissioners Court at:

TIME/DATE: 5:30 PM MONDAY
SEPTEMBER 09, 2019
AND
1:00 PM TUESDAY
SEPTEMBER 10, 2019

PLACE: COMMISSIONERS COURTROOM
FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, 2ND FLOOR, RICHMOND, TEXAS

All interested persons have the right to give written and oral comments and to ask questions about the proposed budgets.

The proposed budgets will be filed for public inspection at the Office of the County Clerk (Suite 144) 301 Jackson Street, Richmond, Texas between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday beginning Tuesday, September 3, 2019. The proposed budget will also be posted on the County's website at www.fortbendcountytexas.gov beginning Tuesday, September 03, 2019.

NOTICE OF PUBLIC HEARINGS ON PROPOSED FY 2020 BUDGET FOR FORT BEND COUNTY DRAINAGE DISTRICT

The Drainage District Board of Fort Bend County will conduct two public hearings on the Proposed Fiscal Year 2020 Budget for Fort Bend Drainage District. The Public Hearings will be held before the Drainage District Board at:

TIME/DATE: 5:30 PM MONDAY
SEPTEMBER 09, 2019
AND
1:00 PM TUESDAY
SEPTEMBER 10, 2019

PLACE: COMMISSIONERS COURTROOM
FORT BEND COUNTY COURTHOUSE
401 JACKSON STREET, 2ND FLOOR, RICHMOND, TEXAS.

All interested persons have the right to give written and oral comments and to ask questions about the proposed budgets.

The proposed budgets will be filed for public inspection at the Office of the County Clerk (Suite 144) 301 Jackson Street, Richmond, Texas between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday beginning Tuesday, September 03, 2019. The proposed budget will also be posted on the County's website at www.fortbendcountytexas.gov beginning Tuesday, September 03, 2019.

FORT BEND COUNTY, TEXAS
This notice of proposed salaries and allowances for Fort Bend County elected officials during Fiscal Year 2020 is pursuant to section 152.013 of the Texas Local Government Code. The Fort Bend County Commissioners Court will consider increasing the salaries of certain elected officials at regular session of the Court which will meet at 1:00 p.m. Tuesday, September 10, 2019 in the Commissioners Courtroom of the Fort Bend County Courthouse at 401 Jackson Street, 2nd Floor, Richmond, Texas. The Elected Officials and their present and proposed salaries are listed as follows:

Elected Officials' Proposed Salaries FY2020

Elected Officials	Adopted 2019 Annual Salary	Proposed 2020 Annual Salary	Juvenile Board Supp.	Drainage Board Supp.	2020 Longevity	Proposed Change
County Judge	\$140,533	\$145,268	\$7,200	\$2,400	\$0	3.37%
Commissioner, Pet 1	\$133,841	\$138,351		\$2,400	\$0	3.37%
Commissioner, Pet 2	\$133,841	\$138,351		\$2,400	\$960	3.37%
Commissioner, Pet 3	\$133,841	\$138,351		\$2,400	\$600	3.37%
Commissioner, Pet 4	\$133,841	\$138,351		\$2,400	\$0	3.37%
Sheriff	\$140,533	\$145,268			\$0	3.37%
County Attorney	\$133,841	\$138,351			\$120	3.37%
Tax Assessor/Collector	\$130,494	\$134,892			\$0	3.37%
County Clerk	\$130,494	\$134,892			\$0	3.37%
District Clerk	\$130,494	\$134,892			\$0	3.37%
County Treasurer	\$127,148	\$131,433			\$0	3.37%
Justice of the Peace, Pet 1, PI 1	\$117,110	\$121,057			\$0	3.37%
Justice of the Peace, Pet 1, PI 2	\$117,110	\$121,057			\$0	3.37%
Justice of the Peace, Pet 2	\$117,110	\$121,057			\$840	3.37%
Justice of the Peace, Pet 3	\$117,110	\$121,057			\$0	3.37%
Justice of the Peace, Pet 4	\$117,110	\$121,057			\$0	3.37%
Constable, Pet 1	\$117,110	\$121,057			\$0	3.37%
Constable, Pet 2	\$117,110	\$121,057			\$0	3.37%
Constable, Pet 3	\$117,110	\$121,057			\$0	3.37%
Constable, Pet 4	\$117,110	\$121,057			\$0	3.37%

NOTE: Longevity pay for Elected Officials was terminated effective October 1, 2007. All officials holding office on that date were "grandfathered" at the amount they then received, and newly elected officials will not receive longevity.