

Houston Forensic Science LGC, Inc.

MEETING OF BOARD OF DIRECTORS
MINUTES

February 14, 2014

The undersigned, being the duly appointed Acting Recording Secretary of the Houston Forensic Science, LGC, Inc., (the "Corporation"), hereby certifies that the following are true and correct minutes of the February 14, 2014 meeting of the Board of Directors (the "Board"), of the Corporation.

- A. In a manner permitted by the Corporation's Bylaws, the meeting was called by providing all Directors with notice of the date, time, place, and purposes of the meeting more than three days before the date of the meeting.
- B. In Accordance with Chapter 551, Texas Government Code, which Chapter is made applicable to the Corporation by Section 431.004, Texas Transportation Code, a notice of the meeting was duly filed on February 10, 2014, in the same manner and location as required by law of the City of Houston, Texas (the "City").
- C. The meeting was called to order by Scott Hochberg, Chairman of the Board, at 9:01 a.m. on Friday, February 14, 2014, in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.
- D. Chairman Hochberg appointed Ms. Ashley Wieringa as Acting Secretary for the purposes of the meeting and introduced Ms. Wieringa as the new Executive Assistant and Board Liaison for the Houston Forensic Science Center.
- E. Ms. Wieringa called the roll. The following Directors were present: Scott Hochberg, Nicole B. Cásarez, Dr. Enrique V. Barrera, Catherine Lamboley, Anthony T. Robinson, Willie E. B. Blackmon, and Tom P. Allen (ex-officio).

The following Directors were absent: Hiram A. "Art" Contreras and Sandra Guerra Thompson.

Mr. Hochberg announced that a quorum of the Directors was present.

- F. Mr. Hochberg introduced new Board member, Anthony T. Robinson. Mr. Robinson graciously thanked both the Mayor and Board of Directors; he provided a brief introduction of his professional accomplishments and personal experiences. Mr. Hochberg warmly welcomed Mr. Robinson to the Board of Directors.
- G. Mr. Hochberg noted that drafts of the minutes of the Corporation's meetings of November 20, 2013, at which no Board of Directors business was conducted, and the January 10, 2014 meeting had been distributed to the Board. Mr. Blackmon requested that his name be corrected from "William" to "Willie" in the January 10, 2014 minutes. Ms. Lamboley made a motion to approve

the minutes of both the November 20, 2013 and January 10, 2014 minutes as amended. The motion was seconded by Mr. Blackmon. The motion passed unanimously.

H. Mr. Hochberg asked if any members of the public wished to address the Board. Mr. Hochberg noted that no one asked to address the Board, and the meeting continued.

I. President and CEO, Dr. Daniel Garner, provided a report to the Board.

Dr. Garner welcomed the new Chief Financial Officer, Linda Harvey. He noted that budget had been the recent focus. He introduced the new letterhead, business cards, and the brochure to be presented at the American Academy of Forensic Sciences. Dr. Garner also provided a copy of a recent news article with information on problems in a forensic lab in Florida. He used this story as an example to reiterate the importance of quality assurance, noting that quality assurance would be a focal point of the budget and functional organizational chart.

J. Ms. Irma Rios, Crime Lab Director for HPD, delivered a presentation on the paper entitled, "One Giant Leap for Houston: Shifting Paradigms for Forensic Services Operating Under the Umbrella of Police Management," which will be presented at the American Academy of Forensic Sciences conference.

She discussed the history of the lab, the progress that has been made, and a new concept for the forensic science center and management of the crime lab in HPD.

K. Mr. Hochberg provided financial reports for both December 2013 and January 2014, focusing on the most cumulative report from January 2014. He noted that the management consulting services amount includes almost the entire obligation to the Bromwich Group. Mr. Hochberg reported that the spending cap of \$150K has been reached, \$75K which was provided by the Arnold Foundation. Mr. Hochberg reported that education and training increased this month, due to the training that Dr. Garner brought in for accreditation. Other large increases in miscellaneous other services and charges are due in large part to the payment of the recruiting firm that located both the Human Resources Director, Caresse Young, and the Chief Financial Officer, Linda Harvey. Mr. Hochberg mentioned that the financial reporting will soon transition to the CFO.

L. Dr. Enrique V. Barrera, liaison to the Technical Advisory Group (TAG), reported on the activities of the TAG. He noted that he had been working on the November 20th meeting minutes and will distribute at the March 14th Board meeting. Mr. Hochberg and Dr. Barrera discussed the status of the resignation of Mr. David Epstein due to a potential conflict of interest with his new employer, a possible vendor. Dr. Barrera is completing due diligence on this issue.

M. Mr. Hochberg noted that the appointment of a Treasurer to the Corporation was necessary, as required by the bylaws and the banking resolution. Dr. Garner introduced Ms. Linda Harvey, Chief Financial Officer, providing a brief summary of her background. Mr. Hochberg nominated Ms. Linda Harvey as the Treasurer of the Corporation. Mr. Blackmon and Mr. Robinson jointly seconded the motion. The motion passed unanimously.

- N. Mr. Hochberg discussed the report recently received by the Board from The Bromwich Group, on the progress made by HPD in implementing recommendations from the earlier study led by Mr. Bromwich. Mr. Hochberg noted that the report covered those areas of HPD that would come under the direction of the Corporation, and that almost all recommendations for those areas had been implemented. He reported that those recommendations that remained were mainly related to forensic personnel providing additional training for external parties, including other HPD units and the criminal bar, and potential expansion of forensic services offered in such areas as questioned documents, and trace evidence.

Mr. Hochberg noted that the report emphasized that HPD had been fully cooperative in the review process. Mr. Hochberg also recognized the contribution of the Laura and John Arnold Foundation, which helped to fund the review.

- O. Mr. Allen started the discussion regarding the First Interlocal Agreement (ILA). He first referred to the presentation from the Public Safety Committee meeting on Tuesday, February 11th and briefly reviewed the timeline. Mr. Allen mentioned that the changes between draft 6.3 and 6.7 were mostly related to matters internal to the city.

Mr. Allen discussed changes to specific sections including *Section 3.06 – Mutual Access to Shared Spaces*. Mr. Allen added that the space at Dart Street, also a shared access space, is a missing exhibit to the ILA. Exhibit E will be provided regarding this shared space; he is hopeful that the Board will approve draft 6.7 of the ILA without having seen Exhibit E, based on the representations that are being presented that these will not be areas that exclusive control and access are required to maintain the security for the Corporation to complete job functions.

Mr. Allen explained that he will change the definition of forensic operations to exclude polygraph and AFIS; Dr. Barrera shared the responses from the TAG regarding the inclusion or exclusion of polygraph. Mr. Allen reported that although AFIS is not part of the definition of forensic operations, there is a contractual provision which states that the Corporation will have access to the database provided by AFIS, but the employees that operate AFIS will not be managed by the Corporation. The Corporation will not have the responsibility for maintaining the equipment.

Mr. Hochberg moved that the Board adopt draft 6.7 of the First Interlocal Agreement (ILA) with the understanding that any material changes be brought back to the Board for further consideration. If the Board does not find any material changes to the ILA, the Board authorizes Dr. Garner to execute the agreement, with the understanding that any Board member can request a delay in Dr. Garner's execution of the agreement and a meeting can be held to examine those other changes, to the extent that a change made to the agreement is deemed material by any Board member.

The motion was seconded by Mr. Robinson. The motion passed unanimously.

Mr. Hochberg addressed the issue of the FY '15 budget. He reported that he had requested that the City extend the deadline for submitting the budget from March 1 to March 15, and that Mr. Kelly Dowe, Director of Finance for the City, had agreed to the request.

Dr. Garner conducted a presentation on the direction of the Corporation based on the FY '15 budget and functional organization. He reported that after meeting with Mr. Hochberg and Ms. Cásarez, the budget will be presented in its entirety at the March 14th meeting; however, this is an opportunity for the Board to provide feedback.

Dr. Garner discussed potential additional sections, including trace evidence, questioned document, training, and methods development and validation. He also discussed space issues and requirements.

Dr. Garner presented a functional organizational chart. He noted that quality assurance and customer service would be a corporate level function, and reviewed the remainder of the organizational chart. Mr. Robinson suggested the inclusion of a security division; Dr. Barrera suggested the inclusion of training to academies as well. Dr. Garner reported that it would be appropriate to share the draft of the functional organizational chart with the TAG after the March 14th Board meeting.

P. Mr. Hochberg commented on the status of the working groups and invited Board members to participate. He reported that currently Dr. Barrera, Mr. Contreras, and Ms. Thompson are participants in the new facilities working group; Mr. Hochberg and Ms. Cásarez are participants in the finance working group. He reminded the members of the Board that no decisions are made by working groups, all decisions are made collectively by the Board of Directors. Mr. Hochberg concluded the meeting, reminding the Board that the next meeting is scheduled for March 14th.

Q. There being no other business, the meeting was ADJOURNED at 11:27 a.m.

Houston Forensic Science LGC, Inc.

By: Ashley Wieringa
Ashley Wieringa
Acting Secretary