

Houston Forensic Science LGC, Inc.

MEETING OF BOARD OF DIRECTORS  
MINUTES

April 11, 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 April 11, 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 April 8, 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 9:00 a.m. on Friday, April 11, 2014, in the Council Annex Chambers, 900 Bagby St. (Public Level), Houston, Texas 77002.
- D. Ms. Wieringa called roll. The following Directors were present: Scott Hochberg, Nicole B. Cásarez, Dr. Enrique V. Barrera, Hiram A. "Art" Contreras, Judge Willie E. B. Blackmon, Sandra Guerra Thompson, and Tom P. Allen (ex-officio).

The following Directors were absent: Catherine Lamboley and Anthony T. Robinson.  
Mr. Hochberg announced that a quorum of the Directors was present.

- E. Mr. Hochberg noted that a draft of the minutes of the Corporation's meeting on March 14, 2014 had been distributed to the Board. Mr. Hochberg requested a revision to section M; Ms. Cásarez suggested that "addition" be used to correct the noted mistake. Ms. Cásarez made a motion to approve the minutes of the March 14, 2014 meeting, and the motion was seconded by Judge Blackmon. The motion passed unanimously, and the minutes of the March 14, 2014 meeting were adopted as revised.
- F. 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.
- G. President and CEO, Dr. Daniel Garner, provided a report to the Board. He acknowledged the management date reception that was held on April 3<sup>rd</sup> and thanked Chief Oettmeier, Chief Slinkard, Director Rios, Lieutenant Walker, and Chairman Hochberg for their participation. He thanked all parties involved in the successful transition into management. He reported that since the management date the security of the facilities transitioned, personnel files were delivered, and

funds were transferred on April 9<sup>th</sup>. Dr. Garner reported that an internal audit was conducted by the Department of Justice. He noted that position titles for staff are being evaluated, standardized reports are being produced, policies and procedures are being created, and Microsoft Office 365 has been implemented. Dr. Garner noted that recruiting and hiring efforts are continuing, including the initial stages of the search for a Chief Operating Officer to serve as the Vice President. He reported that Ms. Irma Rios will continue to serve as Director of the Forensic Analysis Division; he reported the following acting appointments: Ms. Lori Wilson, Acting Quality Assurance Manager for the Corporation, Lieutenant Chris Nettles, Acting Deputy Director of the Forensic Analysis Division, and Lieutenant Ron Walker, Acting Manager of the Evidence Collection Division. Dr. Garner reported that he and Mr. Allen met with the District Attorney's Office about the transition, prioritization of testing in drug cases, and subpoenas.

- H. The Board stood at ease at approximately 9:22 a.m., and reconvened at approximately 9:38 a.m. Mr. Anthony T. Robinson joined the April 11<sup>th</sup> meeting at approximately 9:38 a.m.
- I. CFO and Treasurer, Ms. Linda Harvey, provided a brief Treasurer's report. She reported that the unspent FY '14 Forensic Funds of approximately \$5.6M were transferred to the Corporation on April 9<sup>th</sup>. Ms. Harvey reviewed the February financials.
- J. CFO and Treasurer, Ms. Linda Harvey, reported that the recommendations for the changes to the Financial Control Procedures had been accepted by the City of Houston. Mr. Hochberg requested that the March 14, 2014 minutes include the adopted version of the Financial Control Procedures.
- K. Dr. Enrique V. Barrera, liaison to the Technical Advisory Group (TAG), reported on the activities of the TAG. He reviewed the summary of TAG activities report and requested that the Board provide feedback regarding proposed future agenda items. The Board discussed possible opportunities for Houston Forensic Science Center staff and TAG members to present at Board meetings.
- L. Mr. Tom Allen presented the proposed change of registered agent for service and registered address. Mr. Allen proposed a change of registered agent for service from David M. Feldman to Dr. Daniel D. Garner and a change of registered address to 1200 Travis Street, 20<sup>th</sup> Floor. Mr. Hochberg moved to ratify the action of submitting a change of the registered agent for service as described by Mr. Allen. Mr. Robinson seconded the motion. The motion passed unanimously.
- M. Director of Human Resources, Ms. Caresse Young, discussed the current and proposed staff benefits. Ms. Young reviewed the two health benefits plans as discussed at the March 14<sup>th</sup> Board meeting. She noted that the Blue Cross Blue Shield plan had been selected, as of April 1<sup>st</sup>, with the understanding that the health benefits options would be reviewed with the Board in six months.

Ms. Young presented the proposed retirement options for Houston Forensic Science Center employees. Ms. Young reviewed the 457(b) Deferred Compensation Plan highlights, and the Board discussed various aspects of the 457(b) plan. Mr. Neil Netoskie with Keystone Retirement



Group, LLC reviewed certain information, as requested by the Board, regarding the 457(b) plan. Ms. Young presented the 401(a) Retirement Plan highlights. She reviewed the employer supplemental contributions and employer matching contributions, the two main components of the 401(a) plan. The Board discussed the relationship between the 457(b) plan and the 401(a) plan. Ms. Young suggested a supplemental contribution of 2% and an employer matching contribution of 100% of the employee's contribution up to 5% of salary. Ms. Young noted that these contributions can be adjusted annually.

Mr. Robinson made a motion to authorize Dr. Garner to continue exploring options on implementing this contribution plan with the understanding that if there are issues with the specifics of the plan that the plan be brought back to the Board for final resolution and a vote to approve of full implementation. The motion was seconded by Judge Blackmon.

Mr. Contreras offered an amendment to Mr. Robinson's motion to proceed with a supplemental contribution of 2% with an employer matching contribution of 100% of the employee's contribution up to 5% of salary as recommended. The amendment was adopted without objection.


Per Mr. Allen's recommendation, Ms. Cásarez made a motion that Mr. Robinson's original motion be amended to provide that Dr. Garner, Ms. Young, Chairman Hochberg, and Mr. Allen negotiate the final provisions and execute the agreement as long as it can be worked out to their satisfaction. Mr. Hochberg noted that this replaces the portion of Mr. Robinson's original motion "to continue exploring options". The amendment was adopted without objection.

Mr. Robinson's motion, as amended, passed unanimously.

- N. Dr. Garner reported on matters concerning the performance of job duties by a person formerly employed in the laboratory. Dr. Garner explained that he had limited details, and he reported that this matter concerns an employee that was not following written protocol in the DNA section. He explained that this was handled as a Houston Police Department (HPD) issue. Dr. Garner explained that this event does involve unfounded allegations and the investigation is ongoing. He explained that this employee was not an employee of the LGC. The Board discussed how a similar situation would be handled within the LGC; Dr. Garner reported that he and Mr. Allen would be meeting with the Office of Inspector General of the City of Houston. The Board discussed quality assurance protocols and suggested that a presentation from the TAG on how these types of processes work would be helpful. Mr. Hochberg suggested that Ms. Thompson and Ms. Cásarez form a small informal working group to review the process for notification of parties after such an occurrence.

- O. There being no other business, the meeting was ADJOURNED at 11:34 a.m.

Houston Forensic Science LGC, Inc.

By:   
Ashley Wieringa  
Acting Secretary