

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: City Attorney's Office

AGENDA DATE: February 7, 2012

CONTACT PERSON/PHONE: Sylvia Borunda Firth, City Attorney – 541-4550

DISTRICT(S) AFFECTED: All

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$amount if applicable.

APPROVE the appointment of:

Nathan L. Brown as an Assistant City Attorney effective February 24, 2012 at a salary of \$75,000.00 per annum, plus benefits.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when and how to enable Council to have reasonable complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action?

Mr. Brown will be assigned as an Assistant City Attorney in the City Attorney's Office. He obtained his Doctorate of Jurisprudence from The University of Texas School of Law in May 2005, and is licensed to practice law in Texas. Mr. Brown is currently an Assistant District Attorney with the District Attorney's Office, 34th Judicial District of El Paso County, Texas, and he has the experience and knowledge necessary to perform the duties of an Assistant City Attorney.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? If so, when?

Yes, the appointment of Lesley J. Nicholes on November 15, 2011.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

This is a budgeted item.

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

MOTION

February 7, 2012

Motion made, seconded and carried that **Nathan L. Brown** be appointed by the Mayor with a majority vote of the entire Council as an Assistant City Attorney effective February 24, 2012 at a salary of \$75,000.00 per annum, plus benefits.

Richarda Duffy Momsen
City Clerk

MEMORANDUM



TO: Mayor John Cook,
City Representatives: Ann Morgan Lilly, Susie Byrd, Emma Acosta,
Carl Robinson, Dr. Michiel R. Noe, Eddie Holguin, Jr., Steve Ortega
and Cortney Carlisle Niland
City Manager Joyce Wilson

FROM: Sylvia Borunda Firth, City Attorney *SBF*

SUBJECT: Appointment of Assistant City Attorney – Nathan Brown
February 7, 2012 City Council Agenda

DATE: January 30 2012

I am respectfully asking for your support in approving the Mayor's appointment of Nathan L. Brown as an Assistant City Attorney. This matter has been placed on the February 7, 2012 City Council agenda. If approved by Council, Mr. Brown's appointment will be effective February 24, 2012 at a salary of \$75,000.00 per annum, plus benefits. This salary is in accordance with the salary schedule for the City Attorney's Office and is in line with the salaries of other attorneys in the office who have similar experience.

Mr. Brown will be hired to fill a vacancy and funding was approved in the FY2012 Budget. This position is essential to the day-to-day operations of the City Attorney's Office, and I am requesting that this position be filled immediately.

I have attached a copy of Mr. Brown's resume for your quick reference. Mr. Brown obtained his Doctorate of Jurisprudence from The University of Texas School of Law in May 2005, and is licensed to practice law in Texas. Mr. Brown is currently an Assistant District Attorney with the District Attorney's Office, 34th Judicial District of El Paso County, Texas, and he has the experience and knowledge necessary to perform the duties of an Assistant City Attorney.

If you have any questions or comments, please do not hesitate to contact me.

cc: Laura P. Gordon, Deputy City Attorney Theresa Cullen, Deputy City Attorney
Lynly Leeper, Chief Budget Officer Esperanza Garcia, Budget Analyst

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson



OFFICE OF THE CITY ATTORNEY

Resume

Nathan Brown

LICENSES

State of Texas, May 2006

LEGAL EXPERIENCE

El Paso County District Attorney's Office, El Paso, Texas

Assistant District Attorney, June 2006-Present

Prosecutor in the General Misdemeanor (Jun-Nov '06, Jul-Sep '08), Assault-Family Violence (Nov '06-Dec '07 & Sep '08-Jan '10), Intake (Jan '08-Jun '08), and Special Crimes (Jan '10-Current) units.

Special Crimes Unit: Second chaired Intoxication Manslaughter trials. Handled bond hearings for Murder cases Screened Intoxication Manslaughter, Accident Involving Personal Injury or Death, and Criminally Negligent Homicide cases. Attended case review meetings with police agencies. Prepared and lectured training classes for those same agencies. Designated attorney for no-refusal weekends. Intake Unit: Presented cases to the Grand Jury. Was a case screener and DIMS attorney. Also handled cases at Jail Magistrate Court. General Misdemeanor and Assault-Family Violence Units: Served as first chair in misdemeanor prosecutions of DWI, Class A theft, assault-family violence, failure to identify, and assault cases. Second chaired aggravated assaults, evading with a vehicle, assault-family violence, DWI, tampering with government records, and obscenity cases. Also first and second chaired motions to suppress, Confrontation Clause, and Forfeiture by Wrongdoing hearings. Volunteer coach for a high school mock trial team. Volunteer at the annual Crime Victims Conference. Gave presentations to adult probation and the center against family violence.

Travis County District Attorney's Office, Austin, Texas

Intern in the Felony and White Collar Divisions, September-November 2005 and Mar.-May 2006

Researched Miranda issues in a capital murder (death penalty) case. Documented jail phone calls looking for incriminating admissions for use during punishment phase and impeachment evidence for character witnesses. Worked on a variety of matters in white collar crimes. Researched felony issues including warrantless search and seizures in a murder case. Participated in docket calls, observed motions to suppress, and motions to revoke probation. Drafted indictments and contact reports in preparation for indictment process. Assisted in researching issues involving environmental crimes.

Harris County District Attorney's Office, Houston, Texas

Intern in the Misdemeanor Division, May-August 2004

Served as lead prosecutor in two driving while intoxicated cases. Sat first chair in a motion to suppress. Sat second chair in a variety of trials including assaults, driving while intoxicated, and reckless driving cases. Negotiated plea bargains. Prepared and participated in docket call, interviewed witnesses, and attended CLE.

Hon. Robert Anchondo, County Criminal Court #2, El Paso, Texas

Judicial Internship, June-July 2003

Researched issues involving thefts, assault-family violence, and driving while intoxicated cases. Helped write a judicial article concerning state and federal firearm restrictions on defendants convicted on domestic violence charges.

EDUCATION

The University of Texas School of Law, Austin, Texas

Jurisprudence Doctorate, May 2005

G.P.A: 2.7

- AMERICAN JOURNAL OF CRIMINAL LAW
- Board of Advocates
- Chicano/Hispanic Law Students Association

The University of Texas at El Paso, El Paso, Texas

Bachelor of Arts in Political Science, May 2002

G.P.A: 3.77, cum laude w/ Honor's Certificate

- Law School Preparation Institute
- Speech & Debate Team (Ranked 21st nationally CA)
- Dean's List (Spring 1999-Spring 2002)
- Honors Program

MEMBERSHIPS

Texas Young Lawyers Association

El Paso Bar Association

El Paso Young Lawyer's Association

Mexican-American Bar Association.