

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

DEPARTMENT: City Attorney's Office

AGENDA DATE: June 5, 2007

CONTACT PERSON/PHONE: Charlie McNabb, City Attorney

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 Bertha A. Ontiveros as Assistant City Attorney effective July 2, 2007 at an annual salary of \$99,000.00 plus benefits, and the appointment of Hadley A. Huchton as Assistant City Attorney effective July 9, 2007 at an annual salary of \$99,000.00 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?

Ms. Ontiveros is a graduate of Yale University. She obtained her Doctorate of Jurisprudence from the University of California in Berkley in 1979. She is licensed to practice in Texas and California. Ms. Ontiveros has extensive experience in redevelopment and local government, which is beneficial to the Office of the City Attorney. She will be assigned to handle transactional matters in the City Attorney's Office.

Ms. Huchton is a graduate of Vanderbilt University. She obtained her Doctorate of Jurisprudence from the University of Texas in 1991. She is licensed to practice in Texas and California. She has been a shareholder with the firm of Hicks & Lucky for the past 10 years where she has obtained quality litigation experience beneficial to the Office of the City Attorney. She will be assigned to handle litigation matters in the City Attorney's Office.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? If so, when? No

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*******

LEGAL: (if required) _____ **FINANCE:** (if required) _____
Charlie McNabb, City Attorney

OTHER:

(Example: if RCA is initiated by Purchasing, client department should sign also)

MOTION

June 5, 2007

Motion made, seconded and carried that **Bertha A. Ontiveros** be appointed by the Mayor with a majority vote of the entire Council as Assistant City Attorney effective July 2, 2007 at a salary of \$99,000.00 per annum plus benefits, and that **Hadley A. Huchton** be appointed by the Mayor with a majority vote of the entire Council as Assistant City Attorney effective July 9, 2007 at a salary of \$99,000.00 per annum plus benefits.

Richarda Duffy Momsen
City Clerk

HADLEY A. HUCHTON

HICKS & LUCKY
A Professional Corporation
5812 Cromo Drive
El Paso, Texas 79912-5502
915-834-8400; FAX: 915-587-8401

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EDUCATION

B.A. - Vanderbilt University, Cum Laude, 1986
J.D. - The University of Texas, with Honors, 1991

PROFESSIONAL ACTIVITIES

Current practice: Civil litigation in all phases of pretrial and trial work
Shareholder in Hicks & Lucky, P.C., El Paso, TX (1997 to present)
Licensed to practice in Texas and California (Admitted in Texas, May 1993)
Member, State Bar of Texas, Texas Lawyers Creed Committee (1994-1995)
Member, State Bar of Texas, Health Law Section
Member, State Bar of Texas, Appellate Law Section
Board Member, El Paso Bar Association (2001-2004)
Member, El Paso Women's Bar Association

PERSONAL ACTIVITIES

[REDACTED]
[REDACTED]
Board Member, CASA of El Paso (1996-1997)
Board Member, American Heart Association (1996-2001)
Member, Leadership El Paso, Class XX (1998)
Certified Scuba diver
Fluent in Deaf Sign Language; speak Spanish

LAW RELATED PUBLICATIONS, ACADEMIC APPOINTMENTS, AND HONORS

Member, Order of the Coif, The University of Texas School of Law (1991)
Phi Eta Sigma, Academic Honorary Fraternity (1983)
Alpha Lambda Delta, Academic Honorary Fraternity (1983)
Co-Author, "Sanctions, A View From the Bench", Litigation Update - 1993
State Bar of Texas (1993)
Speaker, "Managing Risk: What You Don't Know Can Hurt You", The American Institute
of Medical Law, Inc., El Paso, Texas (1994)
Speaker, "Avoiding Lawsuits - Legal Issues with the Terminal Patient", Hospice of El Paso
Symposium on Support of the Dying Patient, El Paso, Texas (September 1996)
Speaker, "Today in Radiology", Rio Grande Imaging Society, Inc., El Paso, Texas
(November 1996)

Author and Speaker, "Excess Coverage/Excess Exposure – Finding It, Collecting It, and Protecting It", State Bar of Texas, Advanced Medical Malpractice Course 2007, Santa Fe, NM (March 2007)

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BERTHA A. ONTIVEROS

Education J.D. Boalt Hall School of Law, University of California, Berkeley, 1979.
B.A. Yale University, 1975.

Qualifications Strong background in public agency matters, including redevelopment, transportation, land use, employment, public finance, public agency laws.

Broad experience in redevelopment and real estate transactions, including base closure, development agreements, public facilities, affordable housing, land use, mixed use projects, acquisitions, leasing, environmental assessments.

Excellent strategic planning, team building and problem solving skills.

Demonstrated legal, management and political expertise.

Experience Law Clerk/Assistant County Attorney. El Paso County Attorney. Legal counsel to County Departments and Elected Officials, including researching and drafting opinions on various legal matters, drafting contracts, grant review, personal and professional services, leases, interlocal cooperative contracts. Advisor to Board of Ethics, Risk Pool Board, Sheriff's Civil Service Commission. While pending admission to Texas Bar, assisted General Counsel unit as law clerk on part-time basis. (2003 to present)

General Counsel/Deputy General Counsel. San Francisco Redevelopment Agency. Redevelopment and general public agency law, including mixed use, commercial and affordable housing projects, purchase and sale agreements, development agreements, leases, base closure, land use, loan documents, public finance, collective bargaining, employment, general contracts. Advised governing body, Executive Director, staff. Managed legal division and outside counsel. Major development projects included Bloomingdale's shopping center, Hunters Point Shipyard. (1999 to 2003).

Special Counsel. Gutierrez & Associates. Real estate, public agency matters, international and general business transactions, including legal review of Spanish-translated lending and marketing documents for major corporations. Major clients: City of Oakland, Oakland Base Reuse Authority, Redevelopment Agency of the City of San Francisco, Chevron, various lending institutions. (1997 to 1999).

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Bertha A. Ontiveros

Senior Associate. Wendel, Rosen, Black & Dean. (1996-1997)

Senior Associate. Kennedy & Wasserman. (1992 to 1996)

Practice emphasized public agency law, transportation, redevelopment, commercial real estate transactions, and general business matters. Major clients: Alameda County Transportation Authority, Alameda County Congestion Management Agency, Bank of America, City of Oakland.

Chief of Staff. Assembly Member Johan Klehs. Manage local and capitol offices for Chair of Assembly Revenue and Taxation Committee. Primary responsibility for political and management issues. (1989-1992)

Attorney. Oakland City Attorney's Office. General municipal law including redevelopment, community development block grant, parks and recreation and drug abatement program startup. (1989)

Associate Counsel. San Jose Redevelopment Agency. Redevelopment planning, small business assistance and lending programs, neighborhood business district development, major development and environmental compliance. Major projects: San Jose Arena, plan adoption for new/amended redevelopment areas. (1987-1988)

Executive Director. Bernal Heights Community Foundation. Responsible for administration, financial and personnel management, fundraising, contract negotiations and public relations for nonprofit community/housing development corporation. (1984-1986)

Development Planner/Attorney. National Economic Development and Law Center. General corporate law, planning and training assistance to nonprofit community development corporations. Regional coordinator for national technical assistance project for community action agencies. (1979-1983)

Other

Member, State Bar of Texas. Former member, State Bar of California Alameda County Bar Association, and La Raza Lawyers Association.

Former Chair, Board of Directors, National Economic Development and Law Center. Former Chair, Military Base Closure Committee, Oakland Metropolitan Chamber of Commerce. Former Board member, Chicana Foundation of Northern California.

Bilingual, English/Spanish.