

**CITY OF EL PASO, TEXAS  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Municipal Clerk  
**AGENDA DATE:** Tuesday, September 9, 2008  
**CONTACT PERSON/PHONE:** Richarda Duffy Momsen, (915) 541-4127  
**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.

Discussion and action on the appointment of one of the following applicants to the position of Judge, Municipal Court 4, to fill an expired term.

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably 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? What are the citizen concerns?

Discussion and action on the appointment of one of the following applicants to the position of Judge, Municipal Court 4, to fill an expired term.

1. Rick Olivo
2. Marlene Gonzalez
3. Cheryl Lay

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

Yes, City Council appoints Municipal Court Judges when a vacancy occurs in an unexpired term.

**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?**

Fund: 01101 (General Fund)  
Department: 11010332 (Municipal Clerk)  
Account: 501000 (Salaries – Judiciary)

---

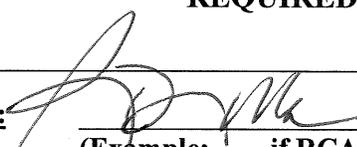
**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

---

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:**  \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**RICHARD A. OLIVO**  
**ATTORNEY AT LAW**

421 EXECUTIVE CENTER BLVD.  
EL PASO, TEXAS 79902  
(915) 544-6200 • FAX (915) 544-6203  
WWW.OLIVOLAW.COM

**EDUCATION:**

- JD, Texas Southern University School of Law - 1997.
- BA in Political Science, The University of Texas at El Paso - 1988.
- Texas Tech University, 1987 - 1988.
- Diploma, Cairo American College, Cairo, Egypt - 1984.

**EXPERIENCE:**

**Richard A. Olivo, Esq.**, El Paso, Texas 1999 - present  
Solo Practitioner - general practice of law with an emphasis in business formation, consultation, employment related matters, domestic and international transactions; commercial and residential real estate, mergers and acquisitions, contract drafting and negotiation, intellectual property (trademarks and copyrights) and securities; other practice areas include: wills/trusts, probate, criminal defense, municipal matters, family law and personal injury.

**MobilServ Technologies, Inc.**, San Diego, California 2000-present  
General Counsel & Director - develop and establish legal strategies for Internet-based wireless self-ordering and stadium/arena concessions delivery service; negotiate and draft installation agreements; secure and enforce intellectual property rights; ensure employment and securities compliance; and administer new business development.

**City of El Paso**, El Paso, Texas 2001-present  
Associate Municipal Court Judge - serve as an Associate Judge presiding over an array of municipal code violations and right of possession hearings, and as a Magistrate executing warrants, temporary restraining orders and commitment orders; presiding over indigency hearings; setting bonds and advising the accused of their constitutional rights.

**Procopio, Cory, Hargreaves & Savitch, LLP**, San Diego, California. 1996, 1997 - 1998  
Associate, Summer Clerk - Business & Technology Team, represented emerging and operating companies with domestic and international commercial transactions, corporate, securities, limited liability company, and partnership matters, intellectual property issues, and other business matters, including business planning, formation and reorganization; mergers and acquisitions; stock option plans and related compensation programs; employment matters and EEOC compliance; technology protection and transfer; trademark and copyright registration; product licensing, distribution and marketing; corporate partnering and joint venturing; and competitive business practices.

**HSJ Manufacturing, Inc.**, El Paso, Texas. 1986 - 1994  
National Account Supervisor - developed and managed national college ring division and served on the Executive Staff; Merchandise Manager - administered \$7,500,000 budget, inventory and staff; Diamond Buyer/Manager - administered \$5,000,000 budget and inventory; Colored Stone Buyer - administered \$750,000 budget; Sales Associate.

### MEMBERSHIPS, ACTIVITIES & HONORS

- Admitted to practice by the State Bar of Texas and the Western and Northern Districts of Texas.
- Member – Pro Bono College of the State Bar of Texas, 2001.
- Member – El Paso Bar Association, 1999-present; Website Committee Chairman, 2002-2003; Historical Committee, 2007-2008.
- Member – Texas Young Lawyers' Association, 1999-2004.
- Member – Texas Municipal Courts Association, 2005-present.
- Member – Board of Directors of El Paso Zoological Society, 2002-present; Vice-President and President-Elect, 2003; President, 2004; Nominating Chair, 2005; Gala Chair, 2006.
- Member – Board of Directors of International Hispanic Cultural Institute, Inc., 2006.
- Member – Board of Directors and Officer of MobilSev Technologies, Inc., a Nevada corporation based in San Diego, California, f/k/a Dial4snax, Inc., 2000-present.
- Member – Polo with a Purpose Committee for the El Paso Cancer Society, 2006-2007.
- Member – Board of Directors of El Paso Hills Community Association, Inc., a Texas non-profit corporation based in Horizon City, Texas, 2001-2002.
- Member – Board of Directors and Officer of Just Hockey, Inc., a Texas corporation based in El Paso, Texas, providing consulting services to the County of El Paso for its youth hockey program, 2001 – 2003.
- Volunteer Speaker – Hugh O'Brian Youth Leadership Seminar: 2001 & 2002.
- San Diego Software Industry Council - From Chalkboards to the Boardroom Committee, 1997-1998.
- Student Bar Association (TSU School of Law) - President, voting member of the Faculty and Faculty Rank & Tenure Committee, 1996 - 1997.
- State Bar of Texas - Law Student Division Board of Directors, 1996 - 1997.
- Dean's List - Fall 1994, Spring 1995, Fall 1996 and Spring 1997.
- CALI Excellence for the Future Award and Præmium Excellentia Award - International Environmental Law, 1996.
- Who's Who Among American Law Students - 15th and 16th Editions.
- Board of Advocates - Parliamentarian, 1995-1996.
- National Moot Court Team - 1995 Neal-Speedon Oral Advocacy Competition, First Place; 1995 Texas Young Lawyers' Association Moot Court Competition; and 1996 F. Lee Bailey Moot Court Competition.
- Phi Delta Phi International Legal Honor Fraternity.

### SKILLS:

- Fluent in Spanish.
- Proficient in WordPerfect; Microsoft Excel, Publisher and Word; Internet research; LEXIS/NEXIS and WESTLAW.
- Diamond grading and gem identification.

(In House Del)

*Law Office of Marlene Gonzalez, P.C.*

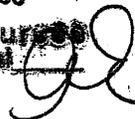
912 MAGOFFIN AVE.  
EL PASO, TEXAS 79901  
PHONE (915) 544-3388  
FAX (915) 544-1168  
E-mail: lawofficeofmgr@yahoo.com

June 20, 2008

**RECEIVED**

JUN 21 2008

Human Resources  
Received by Initial



**SENT BY CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**RECEIPT #7005 1160 0003 3605 0795**

Mr. John Cook  
Mayor of El Paso, Texas  
2 Civic Center Plaza  
El Paso, Texas 79901

**City Representatives**

- District 1 - Ann Morgan Lily
- District 2 - Susie Byrd
- District 4 - Melina Castro
- District 5 - Rachel Quintana
- District 6 - Eddie Holguin, Jr.
- District 7 - Steve Ortega
- District 8 - Beto O'Rourke

**Municipal Court Associate Judges**

- Max Munoz
- David Bonilla
- Maria Ramirez
- Daniel Robeldo

Dear Sirs / Madams:

My name is Marlene Gonzalez, an attorney in private practice with offices at 912 Magoffin Avenue, El Paso, Texas, since 1993. I am applying for the vacancy left by Presiding Judge Regina Arditti.

My first experience working in El Paso, Texas was with the City of El Paso as a temporary paralegal for the Legal Department on or about April, 1987. I have been involved in the Municipal Court system since September 21, 1993 as an Assistant City Prosecutor under the direction of Herb Fleming, and as an Associate Municipal Court Judge since December 1, 2003 to the present. I am dedicated to the Municipal Court system. Overall, I have served the City of El Paso in the above capacities for over fifteen (15) years. Therefore, I am respectfully requesting being considered for the upcoming opening as an associate municipal Judge.

I have enclosed my updated resume and related documents to be considered for the referral portion.

**RECEIVED**

JUN 24 2008

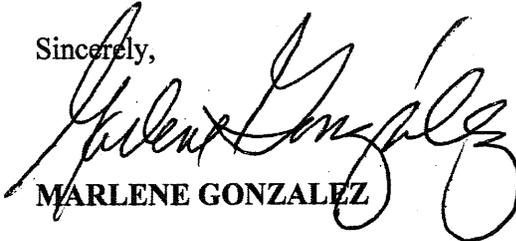
MAYOR'S OFFICE

cc: HR

Page 2  
June 20, 2008

Thank you in advance for the attention to this matter.

Sincerely,



MARLENE GONZALEZ

**MG/mr**  
**enclosure: as stated**  
**cc: Richarda Momsen**

# RESUME

**MARLENE GONZALEZ**

**912 MAGOFFIN AVE.  
EL PASO, TEXAS 79901  
(915) 544-3388**

---

**EDUCATION**

November 1988      Admitted, State Bar of Texas

May 1980            InterAmerican University, Hato Rey, Puerto Rico  
Master of Arts (Labor Relations)

November 1978      Admitted to Commonwealth of Puerto Rico Bar Association

May 1978            InterAmerican University Law School, San Juan, Puerto Rico  
Doctor of Jurisprudence

June 1975           University of Puerto Rico, Rio Piedras Campus  
Bachelor of Arts Degree  
Bachelor Faculty of Humanities  
Graduated Cum Laude

**LEGAL WORK EXPERIENCE**

December 2003      **Associate Municipal Court Judge**  
to present            Prosecute Municipal Court cases.

May 1994            **Sole Practitioner**  
to present            Duties Performed: Represent clients in all Family, Immigration, and  
Criminal Law cases, which have been appointed by the Courts or  
retained.

September 1993      **Assistant City Attorney**  
Served as a part-time Prosecutor

November 1988      **Assistant County Attorney of El Paso County**  
to 1994               El Paso County Attorney's Office, El Paso, Texas Protective Order  
and Criminal Prosecutor  
Duties Performed: Screen domestic violence cases; notify law  
enforcement agencies about decisions made in each case; provide  
written grounds for rejected cases; interview witnesses and victims  
referring them to the appropriate agencies for assistance; and  
prosecute cases set before the criminal magistrate or the court  
which provides special court settings on domestic violence cases.  
Prosecute criminal cases before county courts related with  
domestic violence.

- April 1987                    **Temporary Paralegal for the City Attorney's Office**
- June 1985                    **Area Regional Director**  
Puerto Rico Legal Services Corporation, Corozal, Puerto Rico.  
Duties Performed: Office administrative and managerial duties which included the responsibility for the total function of the entire legal services available. Also responsible for screening and accepting the case within the office and present cases before the courts.
- June 1983  
to June 1985                **Special Prosecutor**  
Department of Justice, Caguas District Attorney's Office,  
Commonwealth of Puerto Rico, Department of Justice.  
Duties Performed: Assistant Attorney in Criminal and Civil matters primarily as a trial lawyer; legal counselor and supervisor of police investigations in all criminal cases to be prosecuted.
- May 1981  
to June 1983                **Lawyer II**  
Compulsory Automobile Accident Insurance of the Commonwealth of Puerto Rico, Hato Rey, Puerto Rico. (ACAA)  
Duties performed: Prepared legal work and court matters such as breach of contract, labor affairs, preside in hearings, investigate and resolve relative controversies about ACAA law and its regulations; prepared in depth research concerning different aspects of ACAA law in court.
- April 1980  
to May 1981                **Legal Advisor**  
Labor Affairs Council, Hato Rey, Puerto Rico.  
Duties Performed: Prepared in-depth studies requested by the Governor, counsel, and management groups on all aspects of labor policies in Puerto Rico. Also wrote some articles for the bi-monthly journal "El Consejo Informa".
- October 1979  
to October 1979            **Hearing Examiner**  
Labor Relations Board of Puerto Rico, San Juan, Puerto Rico.  
Duties Performed: Responsible for conducting the formal hearings in labor disputes; prepared reports concerning hearing and decided controversies.

June 1979  
to October 1979      **Lawyer I**  
Department of Consumer Affairs, Santurce, Puerto Rico (DACO).  
Duties Performed: Responsible for advising consumers about  
matters such as tenancy, breach of contract, and defects of  
construction; presiding in hearings and resolved cases according to  
the applicable facts of law.

September 1978  
to June 1979      **Legal Advisor**  
Municipality San Juan, San Juan, Puerto Rico.  
Duties Performed: Advised management and labor relations  
director.

**OTHER WORK EXPERIENCE**

**TEACHING TERMS**

1983-1984      InterAmerican University, Hato Rey, Puerto Rico.

1979-1981      Part-time Professor in Labor Relations

January 1981      Sacred Heart University, Part-time Professor

**ADMITTED PRACTICE**

United States of America Supreme Court  
United States Western District of Texas  
United States of America Supreme Court of Texas  
United States of America Court of Appeals for the First Circuit  
United States of America District Court of Puerto Rico  
Supreme Court of the Commonwealth of Puerto Rico Management

**PROFESSIONAL ORGANIZATIONS**

Member of the State Bar of Texas  
Member of the Puerto Rico Bar Association  
Member of American Immigration Lawyers Association  
Member of the College of The State Bar of Texas  
Member Law Library Committee State Bar of Texas  
Member's of the Women's Bar Association  
Member of the Mexican American Bar Association  
Ex-Member of the Texas District and County Attorney's Association  
Ex-Member of the Adelante Mujer Hispana Committee, El Paso, Texas  
Ex-Member of the El Paso Task Force on Domestic Violence

**AWARDS**

December 1, 1992 Orgullo Hispano Award for Outstanding Performance to the Community of El Paso by Channel 26.

September 1992 to the Domestic Violence Unit by El Paso Task Force on Domestic Violence.

July 1990 to the Domestic Violence Unit by Companeras (Community Representative Group) for the outstanding service for the Community of El Paso.

**LANGUAGES**

Spanish and English

**REFERNCES**

Available upon request.

PROOF OF  
EMPLOYMENT WITH  
CITY OF EL PASO

M O T I O N

April 28, 1987

Motion made, seconded and unanimously carried to approve the temporary appointment of Marlana Gonzalez as paralegal in the City Attorney's Office.

Carole Hunter, City Clerk

cc: Legal  
Personnel ✓

RECEIVED

APR 29 1987

PERSONNEL OFFICE

CORRECTED

M O T I O N

September 21, 1993

Motion made, seconded and carried that MARLENE GONZALEZ be appointed Assistant City Attorney to serve as a part-time Prosecutor at a salary of \$9,696 per annum, effective Tuesday, September 21, 1993.

CAROLE HUNTER  
City Clerk

cc: Personnel  
Comptroller  
Legal  
Prosecutor's Office

Home > Administer Workforce > Administer Workforce (GBL) > Use > Job Data

New Window

Work Location	Job Information	Job Labor	Payroll	Salary Plan	Compensation
---------------	-----------------	-----------	---------	-------------	--------------

Gonzalez, Marlene Employee ID: 006788

Work Location		View All	First
Employee Status:	Active	Date Created:	12/31/2003
*Effective Date:	12/01/2003	Effective Sequence:	0
Action / Reason:	Transfer	DPT	Dept and/or Account # Change
Position Number:	00000729	(Con)Sub Asso Municipal Judge	Position Entry Date: 12/0
<input type="checkbox"/> Position Data Override		<input checked="" type="checkbox"/> Position Management Record	
*Regulatory Region:	USA	United States	
*Company:	CEP	City of El Paso	
*Business Unit:	COFEP	City of El Paso Business Unit	
*Department:	11010332	Municipal Clerk Judiciary	Department Entry Date: 12/0
Location:	012	Muni Clrk	
Reports To:	00000026	Municipal Clerk	
ID:	001020	Momsen, Richarda Duffy	
Job Data	Employment Data	Earnings Distribution	El Paso Employee Info
			Benefits Program Pa

Work Location | Job Information | Job Labor | Payroll | Salary Plan | Compensation

**LESLIE & LAY, P.C.**

DONALD S. LESLIE  
CHERYL S. LAY\*\*

ATTORNEYS AT LAW  
2731-A MONTANA AVENUE  
EL PASO, TEXAS 79903-3799

(915) 565-9000  
FAX (915) 565-9191

\*Board Certified - Consumer Bankruptcy Law  
and Business Bankruptcy Law  
Texas Board of Legal Specialization  
\*\*Board Certified - Consumer Bankruptcy Law  
Texas Board of Legal Specialization  
\*\*Licensed in Texas and New Mexico

BARBARA WELCH  
Advanced Paralegal Certification  
Bankruptcy Specialist  
N.A.L.A.

July 1, 2008

**FAX COVER SHEET**

**To:** Maricruz Shark

**From:** Cheryl S. Lay

**RE:**

**Destination**

**Fax Number: 915-541-4220**

**Number of**

**Pages: 3 Pages Including Cover Page**

***CHERYL SELLERS LAY*****EDUCATION and LICENCES**

Licensed in New Mexico, 2000.

Licensed in Texas, 1997.

Texas Tech School of Law, JD, 1997.

University of Texas at El Paso, Bachelor of Science in Criminal Justice, 1994.

Southwestern Paralegal Institute, Certificate of Completion, Paralegal Studies, 1987.

**LEGAL EXPERIENCE****City of El Paso**

2 Civic Center Plaza

El Paso, TX 79901

(915) 546-2901

Full time Magistrate from January 2007 to June 2008. Associate Municipal Court Judge from August 2002 to December 2006 and from June 2008 to present.

**Leslie & Lay, P.C.**

Attorneys at Law

2731A Montana

El Paso, TX 79903

(915) 565-9000

Partner. August 1999 to present. Practice focus mainly on consumer bankruptcy law including negotiating with creditors, preparing budgets, litigation, drafting pleadings. Worked closely with Donald S. Leslie, Chapter 7 Trustee, on various cases, including acting as attorney for the Trustee. Board Certified in Texas in Consumer Bankruptcy Law.

**El Paso Community College**

919 Hunter Drive

El Paso, TX 79915

(915) 831-2000

Instructor - Legal Research and Writing, Wills and Probate. 1998-2002

**Eighth Court of Appeals**

500 E. San Antonio, 12<sup>th</sup> Floor

El Paso, TX 79901

(915) 546-2400

Law Clerk for Justice Ann C. McClure. September 1997 to August 1999. Extensive legal research, draft opinions for publication.

**Southern New Mexico Legal Services**

300 N. Downtown Mall  
Las Cruces, NM 88001  
575-541-4800

Intern assisting in the representation of migrant farm workers to ensure fair wages and safe working environment in fields. Assisted in managing clientele of satellite office. Summer of 1996.

**Krafsur, Gordon, Mott**

4695 N. Mesa  
El Paso, TX 79912  
(915) 545-1133

Legal Assistant to Andrew Krafsur, attorney/Chapter 7 Trustee, 1994. Assist in the administration of bankruptcy estates with values in excess of \$5m.

**Mayfield & Perrenot, P.C.**

221 N. Kansas Street  
El Paso, TX 79901  
(915) 533-2468

Legal Assistant to Andrew Krafsur, attorney/Chapter 7 Trustee. 1990-1994. Assist in the administration of bankruptcy estates with values in excess of \$5m.

**Kemp, Smith, Duncan & Hammond**

221 N. Kansas Street  
El Paso, TX 79901  
(915) 533-4424

Legal Assistant to bankruptcy department, 1987-1990. Assist with creditor work for individual, corporate, and government agencies.

**ACTIVITIES AND ORGANIZATIONS**

**El Paso Bar Association** - member.

**El Paso Women's Bar Association** - Vice-President 1999-2000.

**Texas Bar Association** - member.

**New Mexico Bar Association** - member.

**El Paso Border Bankruptcy Bar** - President, 2001-02; Vice-President 2000-01; Treasurer 1999-2000.

**College of the State Bar** - member.

**St. Mark's Methodist Church** - International Missions Team Member.

**St. Mark's Methodist School** - School Board member, 2004-2005.

**El Paso Amigo Airsho** - Board of Directors, 2003 to 2006; legal counsel 2003 to present.

**National Ski Patrol** - member.