

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY (DHS)

DEPARTMENT: City Attorney's Office

AGENDA DATE: September 24, 2013

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

DISTRICT(S) AFFECTED: All

SUBJECT:

APPROVE the appointment of Brie Franco as an Assistant City Attorney effective October 1, 2013 at a salary of \$100,000.00 per annum, plus benefits.

BACKGROUND / DISCUSSION:

Ms. Franco will be assigned as Legislative Attorney/Intergovernmental Affairs. She obtained her Doctorate of Jurisprudence from the University of Texas School of Law in Austin, Texas in May 2001 and was licensed to practice law in Texas in 2001. Ms. Franco has experience drafting legislation and working to have it passed. She has also represented local governmental entities both as an in-house attorney and outside counsel. She is fully qualified to perform the duties of an Assistant City Attorney and represent the City at the legislature..

PRIOR COUNCIL ACTION:

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

No

AMOUNT AND SOURCE OF FUNDING:

FY2013/FY14 103/10500/1000/501000/000003091


BOARD / COMMISSION ACTION: 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

EMPLOYMENT APPLICATION		
	CITY OF EL PASO 300 N. Campbell El Paso, Texas 79901 915.541.4504 or 915.541.4578 http://www.elpasotexas.gov	Received: 7/30/13 1:47 PM For Official Use Only: QUAL: _____ DNQ: _____ <input type="checkbox"/> Experience <input type="checkbox"/> Training <input type="checkbox"/> Other: _____
	Franco, Brie 0812 ASSISTANT CITY ATTORNEY	
PERSONAL INFORMATION		
POSITION TITLE: ASSISTANT CITY ATTORNEY		EXAM ID#: 0812
NAME: (Last, First, Middle) Franco, Brie		SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State, Zip Code) _____		
HOME PHONE: _____	ALTERNATE PHONE: _____	EMAIL ADDRESS: _____
DRIVER'S LICENSE: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DRIVER'S LICENSE: State: TX Number: _____	LEGAL RIGHT TO WORK IN THE UNITED STATES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PREFERENCES		
PREFERRED SALARY: _____	ARE YOU WILLING TO RELOCATE? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe	
WHAT TYPE OF JOB ARE YOU LOOKING FOR? _____		
TYPES OF WORK YOU WILL ACCEPT: _____		
SHIFTS YOU WILL ACCEPT: _____		
OBJECTIVE: _____		
EDUCATION		
DATES: From: 8/1998 To: 5/2001	SCHOOL NAME: The University of Texas School of Law	
LOCATION:(City, State) Austin, Texas	DID YOU GRADUATE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEGREE RECEIVED: Doctorate
MAJOR: Juris Doctorate		UNITS COMPLETED: _____
DATES: From: 9/1994 To: 6/1998	SCHOOL NAME: Stanford University	
LOCATION:(City, State) Stanford, California	DID YOU GRADUATE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEGREE RECEIVED: Bachelor's
MAJOR: International Relations		UNITS COMPLETED: _____
WORK EXPERIENCE		
DATES: From: 5/2012 To: Present	EMPLOYER: Ray, Valdez, McChristian & Jeans	POSITION TITLE: Shareholder
ADDRESS: (Street, City, State, Zip Code) El Paso, Texas		COMPANY URL: _____
PHONE NUMBER: _____	SUPERVISOR: _____	MAY WE CONTACT THIS EMPLOYER? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
HOURS PER WEEK: 40	SALARY: \$0.00/month	# OF EMPLOYEES SUPERVISED: _____
DUTIES: Practice includes general negligence, professional liability, credit union law and legislative advocacy. Retained by the Texas Credit Union League for the 83rd Regular Session to provide recommendations on League support on bills related to mortgage regulation and foreclosures, state tax exemptions, and lien priorities of financial institutions. Drafted bill analyses, committee substitutes, and amendments.		
REASON FOR LEAVING: _____		
DATES: From: 9/2011 To: 5/2012	EMPLOYER: Law Office of Brie L. Franco	POSITION TITLE: Owner
ADDRESS: (Street, City, State, Zip Code) Austin, Texas		COMPANY URL: _____
PHONE NUMBER: _____	SUPERVISOR: _____	MAY WE CONTACT THIS EMPLOYER? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
HOURS PER WEEK: 40	SALARY: \$0.00/month	# OF EMPLOYEES SUPERVISED: _____
DUTIES: _____		

General business and corporate law practice that included drafting and negotiating contracts and assisting small businesses with risk management and resolving disputes.		
REASON FOR LEAVING:		
DATES: From: 7/2006 To: 8/2011	EMPLOYER: Velocity Credit Union	POSITION TITLE: VP-General Counsel
ADDRESS: (Street, City, State, Zip Code) Austin, Texas		COMPANY URL:
PHONE NUMBER:	SUPERVISOR: Debbie Mitchell - President	MAY WE CONTACT THIS EMPLOYER? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
HOURS PER WEEK: 40	SALARY: \$0.00/month	# OF EMPLOYEES SUPERVISED:
DUTIES: <p>Served as the sole General Counsel for a credit union with \$550 million in assets, 70,000 members, five branches and over 150 employees.</p> <p>Served as the credit union's Legislative Liaison and directly advised the CEO on all state and federal government affairs that impacted Velocity's compliance requirements and financial services.</p> <p>Drafted, reviewed and negotiated all contracts including loan participations, indirect and direct lending agreements, confidentiality and non-disclosures, technology and software purchases, third party processing agreements, and licensing and financial services agreements with credit cards issuers, insurance companies and financial institutions.</p> <p>Created standardized language for terms and conditions, disclaimers, and consumer forms and agreements</p> <p>Implemented the credit union's first vendor management tool and formal due diligence process for the tracking of policies and processes for contracts with vendors.</p> <p>Oversaw and implemented management risk management procedures in coordination with other departments to comply with rapidly changing state and federal banking regulations.</p> <p>Managed all outside counsel and proceedings including the bankruptcy of a third party loan servicer and major insurance litigation all while recouping legal expenses.</p> <p>Served as the credit union's representative on the unsecured creditors committee for a Chapter 11 bankruptcy of a company that involved assets for over 200 credit unions nationwide.</p> <p>Reduced all other legal expenses paid to outside firms by 80 percent in just one year.</p> <p>Implemented a debit card fraud response program that reduced debit card losses by \$40,000 in the first year.</p> <p>Advised Board of Directors on all litigation matters.</p> <p>Responded to garnishments, delinquent property tax answers, subpoenas, audit and regulatory requests from insurance providers, accounting firms, and state and federal regulators and agencies.</p> <p>Advised on deceased accounts and probate issues for bank members and successfully negotiated and resolved members' causes of action involving IRS reporting requirements, DTPA claims, and collection matters.</p>		
REASON FOR LEAVING:		
DATES: From: 9/2001 To: 7/2006	EMPLOYER: Senator Shapleigh	POSITION TITLE: General Counsel
ADDRESS: (Street, City, State, Zip Code) El Paso, Texas		COMPANY URL:
PHONE NUMBER:	SUPERVISOR: Eliot Shapleigh - State Senator	MAY WE CONTACT THIS EMPLOYER? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
HOURS PER WEEK: 40	SALARY: \$0.00/month	# OF EMPLOYEES SUPERVISED:
DUTIES: <p>Oversaw all legislation and budgetary appropriations for public and higher education, taxes, criminal justice, and jurisprudence. Recommended committee and floor votes.</p> <p>Drafted and negotiated the passage and implementation of legislation, amendments, and budgetary appropriations.</p> <p>Analyzed legal and fiscal impact of proposed Senate and House legislation on current law, public and District interests.</p> <p>Conducted and participated in meetings with elected officials, state agencies, public organizations, and media as Senator's representative.</p> <p>Drafted and reviewed speeches, local and statewide editorials, press releases, and oversaw the research and publication of policy chapters in issue areas.</p> <p>Served as legal counsel to Senator and staff regarding ethics compliance, complex and confidential legislative and constituent matters, rules on floor debate and committee procedure, and open records requests.</p>		
REASON FOR LEAVING:		

CERTIFICATES AND LICENSES	
TYPE: Texas Bar License	
LICENSE NUMBER: 24032193	ISSUING AGENCY: Texas State Bar
SKILLS	
Nothing Entered For This Section	
ADDITIONAL INFORMATION	
Nothing Entered For This Section	
REFERENCES	

REFERENCE TYPE: Professional	NAME: Suzanne Yashewski	POSITION: SVP, Regulatory Compliance & Legal Affairs, Texas Credit Union League
ADDRESS: (Street, City, State, Zip Code)		
EMAIL ADDRESS: syashewski@tcu.coop		PHONE NUMBER: (512) 853-8516
REFERENCE TYPE: Professional	NAME: Von Byer	POSITION: Deputy General Counsel, Texas Education Agency; Former Committee Director, Senator Shapiro
ADDRESS: (Street, City, State, Zip Code)		
EMAIL ADDRESS:		PHONE NUMBER: (512) 463-1852
REFERENCE TYPE: Professional	NAME: Lara Wendler	POSITION: Chief of Staff, Senator Whitmire
ADDRESS: (Street, City, State, Zip Code)		
EMAIL ADDRESS:		PHONE NUMBER: (512) 463-0115
REFERENCE TYPE: Professional	NAME: Ginger Averitt	POSITION: Chief of Staff, Senator Seliger
ADDRESS: (Street, City, State, Zip Code)		
EMAIL ADDRESS:		PHONE NUMBER: (512) 463-0131

The following terms were accepted by the applicant upon submitting the online application:

By clicking on the 'Accept' button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete answer may be grounds for not employing me or for dismissing me after I begin work. I understand that I will have to produce documentation verifying identity and employment eligibility in the U.S. I understand that I may be required to verify any and all information given on this application. I understand that this completed application is the property of the City of El Paso and will not be returned. I understand that the City of El Paso may contact prior employers and other references.

I understand that completion of this Application for Employment does not guarantee that I will be employed by the City of El Paso.

I hereby affirm that my answers to these statements and questions are true and correct to the best of my knowledge. I have not knowingly withheld any fact or circumstance that would, if disclosed, affect my application unfavorably.

I understand that any misrepresentation, deception, or false statement made in this Employment Application may result in my not being considered for employment, and if not discovered by the Company until after my becoming employed, is grounds for, and may result in, my immediate termination.

Application time limit: I understand that application forms are active for the length of the eligible list which is normally six months unless otherwise stated. All persons must reapply after that period.

Falsification: I understand that falsification of information listed on my application or presented to the City of El Paso can be grounds for serious reprimand or termination.

Employment testing: I understand that all required drug tests, pencil-and-paper tests, physical exams, or electronic or other tests will be used in the employment decision.

Condition of Employment: I understand that I must provide official proof of Education (transcripts, diplomas, certificates), driver's license (if required), within 3 days of being contacted with a job offer.

This application was submitted by Brie Franco on 7/30/13 1:47 PM

ResumeBRIE L. FRANCO

PROFESSIONAL EXPERIENCE

Ray, Valdez, McChristian & Jeans, Shareholder, El Paso
May 2012- present

Practice includes general negligence, professional liability, credit union law and legislative advocacy. Retained by the Texas Credit Union League for the 83rd Regular Session to provide recommendations on League support on bills related to mortgage regulation and foreclosures, state tax exemptions, and lien priorities of financial institutions. Drafted bill analyses, committee substitutes, and amendments.

The Law Office of Brie L. Franco, Owner, Austin, Texas
September 2011- May 2012

General business and corporate law practice that included drafting and negotiating contracts and assisting small businesses with risk management and resolving disputes.

Velocity Credit Union, VP-General Counsel, Austin, Texas
July 2006-August 2011

Served as the sole General Counsel for a credit union with \$550 million in assets, 70,000 members, five branches and over 150 employees.

Served as the credit union's Legislative Liaison and directly advised the CEO on all state and federal government affairs that impacted Velocity's compliance requirements and financial services.

Drafted, reviewed and negotiated all contracts including loan participations, indirect and direct lending agreements, confidentiality and non-disclosures, technology and software purchases, third party processing agreements, and licensing and financial services agreements with credit cards issuers, insurance companies and financial institutions.

Created standardized language for terms and conditions, disclaimers, and consumer forms and agreements. Implemented the credit union's first vendor management tool and formal due diligence process for the tracking of policies and processes for contracts with vendors.

Oversaw and implemented management risk management procedures in coordination with other departments to comply with rapidly changing state and federal banking regulations.

Managed all outside counsel and proceedings including the bankruptcy of a third party loan servicer and major insurance litigation all while recouping legal expenses.

Served as the credit union's representative on the unsecured creditors committee for a Chapter 11 bankruptcy of a company that involved assets for over 200 credit unions nationwide.

Reduced all other legal expenses paid to outside firms by 80 percent in just one year.

Implemented a debit card fraud response program that reduced debit card losses by \$40,000 in the first year.

Advised Board of Directors on all litigation matters.

Responded to garnishments, delinquent property tax answers, subpoenas, audit and regulatory requests from insurance providers, accounting firms, and state and federal regulators and agencies.

Advised on deceased accounts and probate issues for bank members and successfully negotiated and resolved members' causes of action involving IRS reporting requirements, DTPA claims, and collection matters.

State Senator Shapleigh, General Counsel, Austin, Texas
September 2001 July 2006

Oversaw all legislation and budgetary appropriations for public and higher education, taxes, criminal justice, and jurisprudence. Recommended committee and floor votes.

Drafted and negotiated the passage and implementation of legislation, amendments, and budgetary appropriations.

Analyzed legal and fiscal impact of proposed Senate and House legislation on current law, public and District interests.

Conducted and participated in meetings with elected officials, state agencies, public organizations, and media as Senator's representative.

Drafted and reviewed speeches, local and statewide editorials, press releases, and oversaw the research and publication of policy chapters in issue areas.

Served as legal counsel to Senator and staff regarding ethics compliance, complex and confidential legislative and constituent matters, rules on floor debate and committee procedure, and open records requests.

COMMUNITY LEADERSHIP

Travis County Child Protective Services Board, Austin, Texas
October 2009-April 2012

Appointed by County Commissioner to oversee Travis County's appropriations for the over 200 children in foster care.

Co-authored the annual report for the upcoming budget appropriations for the County Commissioners.

EDUCATION

UNIVERSITY OF TEXAS SCHOOL OF LAW,
Juris Doctor, May 2001

Hutcheson Moot Court Competition, CHAMPION: Won all 5 debate rounds and 13/15 judges.

First Amendment Moot Court Team

Admissions Committee: Appointed by Dean of Admissions to review and select law school candidates for admission.

STANFORD UNIVERSITY

B.A. International Relations, June 1998

Awarded a full-tuition scholarship for all four years of attendance

Study abroad at the Universidad de las Americas en Puebla focusing on economic development