



# Board Appointment Form

Submitted On:

Jul 11, 2023, 12:15PM MDT

City Clerk

Appointing Office	Representative Brian Kennedy, District 1
Agenda Placement	Regular
Date of Council Meeting	Tuesday, July 18, 2023
Name of Board	Ethics Review Commission
Agenda Posting Language	Appointment of Bruce Yetter to the Ethics Review Commission by Representative Brian Kennedy, District 1.
Appointment Type	Regular
List the nominee's qualifications to serve on this Board	Mr. Bruce Yetter is a Licensed Texas attorney since 10/22/1974. 48 years in the active practice of law in El Paso County.
Nominee Name	Bruce Yetter
Nominee Email Address	[REDACTED]
Nominee Residential Address	[REDACTED]
Nominee Primary Phone Number	[REDACTED]
Which District does the nominee reside in?	District 1
Does the appointee have a relative working for the City?	N/A
Has the appointee been a member of any other city boards?	No
List all real estate owned in El Paso County	[REDACTED]
Previous Appointee	David Kern
Reason for Vacancy	Removed
Date of Appointment	July 18, 2023
Term Begins On	February 21, 2022
Term Expires On	February 20, 2024
Term	Unexpired Term
Upload File(s)	Bruce Yetter.doc

# BRUCE YETTER

## EDUCATION

### Texas Tech University, School of Law

08/1971 to 05/1974; Doctor of Jurisprudence, May 11, 1974.

American Jurisprudence Award–Evidence (awarded for the highest grade in the class).

Charter Member of International Law Society, assisted in founding organization.

Phi Alpha Delta Legal Fraternity.

### University of Texas at El Paso, School of Business

3.46 GPA; 08/1967 to 05/1971; Bachelor of Business Administration, May 29, 1971.

Men of Mines Honor, 1971.

Who's Who Among American Colleges and Universities, 1971.

Student Senator, 1969-1970.

President, Sardonyx Honor Society 1970-1971.

Wrestling Team Scholarship Recipient 1968-1969.

TKE Social Fraternity, 1968-1971.

## PROFESSIONAL ADMISSIONS

All courts presently admitted to practice, giving dates of admission and current standing in each.

- [REDACTED] good standing.
- United States District Court for the Western District of Texas since 01/02/90; good standing.
- Not Board certified.

## LAW PRACTICE

- 01/2019 to 11/2022** Assistant County Attorney, El Paso County Attorneys' Office, [REDACTED]. Hospital Legal Unit, Division Chief - Legal Officer for El Paso First Health Plans, Inc., a Medicaid and Medicare HMO who also performs Third Party Administration (TPA) services for two hospital systems, covering nearly 100,000 individuals (members).
- 10/2007 to 01/2019** Assistant County Attorney, El Paso County Attorneys' Office, [REDACTED]. Hospital Legal Unit, Division Chief - Legal Officer for El Paso First Health Plans, Inc., University Medical Center Foundation of El Paso, and El Paso Children's Hospital Foundation; Real Estate Attorney for University Medical Center of El Paso.
- 04/2002 to 10/2007** Assistant County Attorney, El Paso County Attorneys' Office, [REDACTED]. Senior Litigation Attorney for Child Protective Services Legal Unit (Not Board certified).
- 10/2000 to 10/2007** Arbitrator for Employee Appeals, City of El Paso (Not Board certified).
- 10/1993 to 04/2002** Bruce Yetter, Attorney at Law, sole practitioner, [REDACTED]. Counsel to numerous clients, both businesses and individuals. Areas of concentration: civil litigation, family law (Not Board certified.)

- 07/1989 to 10/1993** Associate Attorney, Sidney J. Diamond, P.C., formerly at [REDACTED]. Commercial and personal bankruptcy practice (Not Board certified).
- 10/1983 to 07/1989** General Counsel & Senior Vice-President for Administrative Services, Columbia Engineering Corporation. Industrial and commercial mechanical and electrical construction contractor, active in over seven states throughout the western U. S.
- 06/1982 to 10/1985** Webster University, Ft. Bliss Campus, Adjunct Professor. Taught Legal Issues in Management and Labor Relations at the Master's Level.
- 02/1979 to 10/1983** General Counsel & Senior Vice-President for Administrative Services, Bowen Industries, Inc. Industrial mechanical construction contractor, active in over eight states throughout the western and southern U. S.
- 10/1974 to 02/1979** Assistant City Attorney, City of El Paso, Texas, [REDACTED]. Counsel for Police, Fire, Health, Human Resources, Civil Service Commission, Ad Valorem Tax, and Planning Departments, Convention and Visitors Bureau, and litigation.
- 08/1974 to 10/1974** Santiesteban, Kennedy & Martin Law Firm, Law Clerk while waiting for bar results.

## PROFESSIONAL AND OTHER ACTIVITIES

### Bar associations and legal professional societies:

- Texas Bar Association, 1974 to date; Healthcare Law, Government Law, Business Law, Family Law sections, current member.
- El Paso Bar Association; since 1986, Current Member.
- American Health Lawyers Association, 2007 to 01/2023.
- Texas District & County Attorneys' Association, 2002 to 1/2022.1
- American Bar Association, 1974 to 1990, former member.

### Civic and other organizations and clubs:

- Ronald McDonald House Charities, 1996 to 2011.
  - President of the Board of Directors, 2006 to 2008
  - Program Committee Chairman 1999 to 2005
  - Member, Executive Board 1999 to 2009
  - Member, Board of Directors 1996 to present
- Cross of the Hills United Methodist Church, 1997 to 2004.
  - Former Member, Board of Trustees, Counsel.
- St. Jude's Children's Memorial Hospital, El Paso Chapter, 1994 to 1999.
- Downtown Lion's Club, Director 1981-82; former member.

## OTHER BACKGROUND AND EXPERIENCE:

I have been a licensed attorney since 10/22/1974, over 48 years. My varied and extensive background in the practice of civil law gives me a broad view of the law, especially in a business and commercial setting. I have dealt with corporation counseling, human resource and labor matters, personal injury claims, commercial litigation, and debtors in bankruptcy, besides my experiences in family law. My temperament, life experiences, and problem-solving abilities have won me clients and friends who have been with me for years. I have a multi-dimensional background in both transactional law and litigation.

Until recently retiring from the El Paso County Attorney's Office Hospital Legal Unit in November, 2022, I had functioned as the Legal Officer for both El Paso First Health Plans, Inc. d/b/a El Paso Health (El Paso Health), a Texas private nonprofit, IRC Section 501(c)(4) private, nonprofit health maintenance organization (HMO), University Medical Center Foundation of El Paso and El Paso Children's Hospital Foundation (Foundations), both Texas private nonprofit, IRC Section 501(c)(3) charitable organizations, and as the real estate and special projects attorney for University Medical Center of El Paso (UMC). With both El Paso Health and the Foundations, I prepare and review contracts, render legal opinions, advise executive management and corporate directors on matters of governance and legal interpretations of federal, state, and local laws.

For El Paso Health, I handle any claims arbitrations, legal claims, and legal matters which arise from the operation of a Medicaid and Medicare HMO. Recently, El Paso Health has pursued and was awarded a Medicare Advantage contract from CMS. During my tenure, I have disposed of over 1,300 claims amounting to over \$5 million. I have assisted in the preparation of responses to RFPs with the Texas Health and Human Services Commission for additional lines of work. My client is the health care company affecting nearly 100,000 members, through all lines of work. I assist in the legal review of Third Party Administration (TPA) lines of work affecting over 6,000 members.

With the Foundations, I have assisted in the re-start of one and the new incorporation and startup of a subsidiary El Paso Children's Hospital Foundation and a Mexico charitable foundation for international projects (Fundacion de UMC de Mexico, IASP). The Foundations currently receive about \$5 million per year from the community and grantors.

With UMC I have assisted in the development of the real estate purchasing and leasing operations, and handled several transactions, including purchases of future building sites. Under my legal services, I have handled the acquisition of over 40 acres of commercial property for UMC, at a cost of \$19 million. Also for UMC, I have handled various special projects, including the UMC side of the assist of the startup of the El Paso Children's Hospital, the many supporting contracts for its operation, the UMC side of its financial challenges, and ultimately, assisting in the UMC creditor actions in the El Paso Children's Hospital Chapter 11 bankruptcy in 2015.

While with the El Paso County Attorney's Office, CPS Unit (2002 to 2007), I kept a case load of 100 to 120 active cases involving abused and/or neglected children. I work closely with the Texas Child Protective Services (CPS) caseworkers who were my client-representatives. I have conducted numerous bench trials and several jury trials to terminate parental rights or place children in safe home environments. I participated in the Family Drug Court as the County Attorney's legal representative. I assist in training Court Appointed Special Advocates (CASA) who function as guardian ad litem for the abused and/or neglected children. I have participated in presentations to CPS, Aliviane, school districts, and other organizations for training on CPS law.

For several years (approx. 2000 to 2007), I was one of three to four arbitrators for the City of El Paso, hearing termination and disciplinary appeals of Fire, Police and non-uniformed City employees.

In private practice (1993 to 2002), I handled many uncontested and contested divorces, from original pleadings to final orders, as well as child support and custody modifications. I handled a variety of civil jury trials, bench trials, alternate dispute resolutions, and appeals. I have dealt with issues of custody, property division, family violence, paternity and child support. Family law cases were about ½ of my practice. The other portion of my practice included a variety of civil litigation, corporate and business counseling and transactions.

My experience in bankruptcy practice (1989-1993), representing debtors, includes assisting in all phases of complex commercial bankruptcy cases, including Chapter 11 Reorganizations and Chapter 7 Liquidations. I would assist in the drafting of bankruptcy plans of reorganization, disclosure statements, adversary proceedings, preference actions, motion practice, and hearings. I had responsibility for commercial litigation and dispute resolution cases involving real property transfers, construction contract disputes, breaches of contract, and contract interference claims. I also had responsibility for appeals before the Provider Reimbursement Review Board for Medicare compensation of a medical facility. I had

responsibility for administrative supervision, including accounting department, employee relations, and insurances.

At Columbia Engineering Corporation (1983-1989), I was a senior management team member for a multi-million dollar industrial mechanical and electrical construction company operating as a general contractor throughout the Southwest and Western U.S., including Alaska. I had full responsibility for all administrative functions, including supervision of the accounting department, employee relations, EEO compliance, multi-state construction licensing, construction contract negotiations and management, and dispute resolution. My dispute resolution experience includes litigation, Board of Contract of Appeals, and Occupational Safety and Health Review Commission. I provided legal advice and counseling for senior management in all phases of operations, managed and coordinated with retained counsel on litigation and special matters. I was the custodian of and issuer of all common stock; maintained corporate board of directors' meeting minute book. I developed a strong background in contract negotiations and drafting complex multi-million dollar construction and services agreements with owners, vendors, and subcontractors in both public and private sectors. Representative construction projects include tertiary recovery systems, pumping stations, petroleum and chemical refineries, dam penstock replacement and renovation, irrigation systems and water pumping plants, copper smelters and refineries, silver, gold, copper, and lead mining operations, and commercial buildings.

I was an Adjunct Professor at the Master's program for Webster University (approx. 1982 to 1985). I taught "Legal Issues in Management" and "Labor Relations" to college graduates working on their Master's degrees at the Ft. Bliss, Texas campus.

While with Bowen Industries, (1979-1983), I was a senior management team member for this medium sized, full-service industrial and mechanical contractor operating throughout the Southwest U.S. I had full responsibility for multi-million dollar contract drafting, review, management and dispute resolution, employee relations, multi-state construction licensing, and all claims, both for and against the company. Representative projects include nuclear electrical power generating plant, pumping stations, master service agreement with major petroleum and chemical refineries and copper smelters, commercial buildings and ASME pressure vessel manufacturing, repair and modification.

While with the City of El Paso (1974-1979), I functioned as Chief Labor Counsel for the Mayor and City Council. I was a senior management staff member on City collective bargaining team with Fire and Police Bargaining Units. I had full responsibility for advising the Mayor and City Council and City department managers on all phases of employee relations programs, including both City and State Civil Service Commission appeals, Equal Employment Opportunity Commission investigations and complaints, Fair Labor Standards Act compliance and Affirmative Action Plan development, fire and police departments, various federal programs, and related municipal matters. I completed a three month training in labor-management relations in the public sector through the Federal Mediation and Conciliation Service (FMCS) with the City of New Haven, Connecticut. I was counsel to the directors of the Fire Department, Police Department, City-County Health Unit, Convention and Visitor's Bureau, Public Works, Building Inspection, Civil Service Commission, Tax Assessor/Collector, and others.