



02-C-2163

CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

55 TRINITY AVENUE, S.W.
ATLANTA, GEORGIA 30335-0300
TEL (404) 330-6100

December 2, 2002

President Cathy Woolard and
Members of Atlanta City Council
City Hall, Suite 2900 South
68 Mitchell Street SW
Atlanta, Georgia 30335

RE: Appointment to the Contract Compliance Hearing Officer Board

Dear President Woolard and Members of the Council:

It is a pleasure for me to appoint **Derek Alphan** to serve as a member of the **Contract Compliance Hearing Officer Board** of the City of Atlanta. This appointment is for a **term of two (2) years**, scheduled to begin on the date of Council confirmation.

I am confident that Mr. Alphan will serve the Contract Compliance Hearing Board with distinction. A resume is attached for your perusal.

Sincerely,

Shirley Franklin

Enclosures

CURRICULUM VITAE

DEREK M. ALPHRAN

177 Hale Street ♦ Atlanta, GA ♦ (404) 522-3047 ♦ (dalphran@johnmarshall.edu)

Personal Data

Place of Birth: Atlanta, Georgia

Date of Birth: September 15, 1953

EDUCATION

Stanford Law School - Stanford, CA (1984-1986)
Post Graduate Study towards JSM Degree in Constitutional Law

J.D. Degree - UCLA School of Law, 1981

Member - California and Georgia Bars

Non-Legal - B.A. 1975, Cum Laude - Morehouse College, Atlanta, GA
Honors in Political Science

PROFESSIONAL EXPERIENCE

JOHN MARSHALL LAW SCHOOL, Atlanta, GA - Associate Professor. (9/97 - Present)

Subjects taught include criminal procedure, criminal law, constitutional law, civil rights litigation, race and law, and white-collar crime. Major area of concentration, civil rights and constitutional law. Other duties:

- Former Director/Counsel of pro bono activities for High Noon-Legal Foundation;
- Coordinated public support for law school's extension from Georgia Supreme Court in order to seek ABA accreditation in 1999;
- Chair of John Marshall Law School's Accreditation Committee in 1999; assisted Dean and Administration in seeking law schools accreditation before various ABA committees;
- Chair, Faculty Lecture Series
- Faculty Liaison to John Marshall Board of Trustees and Advisory Board to the Law School.

COMMUNITY LAW CENTER, Atlanta, GA - Private Practice. (9/94 - 9/97) Worked in a community based legal practice, focusing on state and municipal government law, federal civil rights law; served as counsel to several minority-owned businesses.

Co-founder of High Noon Legal Foundation, a foundation involved with public interest litigation involving issues of public policy and in equality in Georgia. Former mayor Maynard Jackson is a co-founder.

GEORGIA STATE UNIVERSITY, COLLEGE OF ARTS AND SCIENCES, Adjunct Professor, (1/96-1/97)
Part-time instructor, teaches in area of race and criminal justice issues affecting the African-American community. (Spring/Winter).

Served as Special Counsel to Mayor Maynard Jackson – Assistant City Attorney (2/92-2/94). Served as liaison to Mayor's office from the City's Law Department. Worked on special projects involving constitutional related issues such as crack house legislation, handgun legislation, criminal street gangs, legislative initiatives in the Georgia Legislature.

CONTRACT COMPLIANCE for the City of Atlanta, Special Counsel (9/90-9/91) - Assisted Office of Contract Compliance with implementation of EBO program and interpreted the city ordinance: reviewed bid protests involving joint ventures and minority participation requirements; conducted public hearing on discrimination against women and minority businesses before the Atlanta City Council; drafted legislation for new equal business opportunity program.

PALMER WEBER, FELLOW, Attorney, 11/87-11/90) Atlanta, GA, American Civil Liberties Union Southern Regional Office.

Litigation under Voting Rights Act of 1965. Worked on a number of voting rights cases including successful challenges to Chattanooga's at large city government, and restoration of city government in Keysville, GA: At-Large election of judges; worked on a number of civil liberties issues.

UNITED STATES COURT OF APPEALS, ELEVENTH CIRCUIT, (5/86-5/87 and 5/85-8/85). Law Clerk to the Honorable Elbert P. Tuttle, Senior Judge.

STANFORD LAW SCHOOL, Stanford CA, Teaching Fellow (8/84-5/85). Legal Research and Writing Instructor for small section contracts with first year students. Responsible for drafting research assignments and moot court problem and meeting individually with students. Lectured on legal process and legal writing.

SOUTHERN REGIONAL COUNCIL'S CO-OP AND DEMOCRACY PROJECT (12/82-8/84), Atlanta, GA, (Retainer) Providing legal research and assistance to a project examining rural electric rights co-ops in the South; reviewing state statutes, case law and general corporate law regarding the structure of elective utility co-ops focusing on state law pertaining to proxy voting.

TAYLOR, ROTH & HUNT, (2/82-11/82) Los Angeles, CA, Associate. Specialized in employment discrimination law, labor law and federal court civil litigation. Mainly responsible for working on Title VII class action cases and tort cases involving First Amendment implications.

PROFESSIONAL ACTIVITIES

- Chair, Legal Team of Shirley Franklin for Mayor. Coordinated legal team in monitoring counting of ballots using punch card systems. Served as Legal Representative of the campaign in election recount. 10/2001.
- Presentation before Georgia's Legislative Black Caucus on "Impact of Supreme Court Decisions on Civil Rights Cases and Eleventh Amendment Immunity." 3/2000.
- Assisted in drafting – Anti-Discrimination Law for the State of Georgia, introduced in Georgia Legislature in 2000. Modeled legislation aimed at areas not covered by federal discrimination law.
- Chair, Panel on Race and Crime at annual conference of African-American Studies, Atlanta, GA
- Pro bono representation in intervention in Wooden v. Board of Regents. Assisted in efforts to intervene on behalf of NAACP in an anti-affirmative action case.
- Panelist - "Affirmative Action Debate" sponsored by John Marshall Law School, Impact of Hopwood Decision.
- Special Consultant - Cook County, Chicago. Served as expert consultant on constitutional requirements for minority business program in defense of County's Program, March – July 2000.
- Sub-Consultant to State of Kentucky - Prepared legal analysis of post-Croson cases for study of discrimination in the State of Kentucky.

Affiliations

Member Voting Rights Institute, Democratic National Committee 2001.

Member and Past Member of Board of Directors, American Civil Liberties Union of Georgia, elected two year term (1998).

Member and Past Member of Board of Directors, Overcoming Obstacles. Organization providing job training and motivational skills to High School Students.

Past Member, Legal Steering Committee, NAACP, Atlanta Branch.

Democratic Coordinated Campaign in Metro Atlanta 1996. Worked "Get Out The Vote Effort," on behalf of Democratic Ticket.

REFERENCES. Personal and professional references and teaching evaluations available upon request.

Publications: "Proving Discrimination After Croson and Adarand, If it Walks Like a Duck." Work in Progress. Will be submitted for publication in October, 2002

Biographic history of Maynard H. Jackson, former Mayor of Atlanta, Columbia Encyclopedia of African American People and Scholars, McMillan Publishing. (1996)

RCS# 4401
1/21/03
3:15 PM

Atlanta City Council

Regular Session

02-C-2163

Mr. Derek Alphan to the Contract
Compliance Hearing Officer Board
CONFIRM

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

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Do Not Write Above This Line
 A COMMUNICATION BY MAYOR SHIRLEY FRANKLIN

A COMMUNICATION BY MAYOR SHIRLEY FRANKLIN APPOINTING DEREK ALPHRAN TO SERVE AS A MEMBER OF THE CONTRACT COMPLIANCE HEARING OFFICER BOARD OF THE CITY OF ATLANTA. THIS APPOINTMENT IS FOR A TERM OF TWO YEARS, SCHEDULED TO BEGIN ON THE BEGIN ON THE DATE OF COUNCIL CONFIRMATION.

CONFIRMED BY

JAN 21 2003
COUNCIL

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1st ADOPT 2nd READ & REFER
 - PERSONAL PAPER REFER COMMUNICATION
- Date Referred: 12/2/02
 Referred To: Fin, Econ & Community
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee COC
 Date 1/6/03
 Chair _____
 Action Fav, Adv, Hold (see rev. side) _____
 Members _____
 Referred To _____

Committee COC
 Date 1/21/03
 Chair _____
 Action Fav, Adv, Hold (see rev. side) _____
 Members _____
 Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 JAN 21 2003
 ATLANTA CITY COUNCIL PRESIDENT
 Catherine M. Westland

CERTIFIED
 JAN 21 2003

DEPUTY MUNICIPAL CLERK
[Signature]

MAYOR'S ACTION