

11 - 1689

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

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

A COMMUNICATION FROM ANTHONY JOSEPH, CHAIR; PATRICK CUCCARO, VICE-CHAIR AND HANK CLARK, SECRETARY, GEORGIA RESTAURANT ASSOCIATION TO COUNCIL PRESIDENT CEASAR C. MITCHELL AND ATLANTA CITY COUNCIL:

APPOINTING MR. CLAY MINGUS TO SERVE AS A MEMBER OF THE ATLANTA ALCOHOL TECHNICAL ADVISORY GROUP II (ATAG), SCHEDULED TO BEGIN ON THE DATE OF COUNCIL CONFIRMATION.

CONFIRMED BY

DEC 05 2011

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 11/21/11

Referred To: Public Safety

Date Referred:

Referred To:

Date Referred:

Referred To:

PSLA Committee

Date 11/29/11

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Action

Fav, Adv, Hold (see rev. side)

Other

MAYOR'S ACTION

CERTIFIED
 DEC 05 2011
 Ronald D. Campbell
 MUNICIPAL CLERK

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 DEC 05 2011

November 3, 2011

11- C-1689

The Honorable Caesar C. Mitchell, President
Atlanta City Council
55 Trinity Avenue
Atlanta, GA 30303

CONFIRMED BY

DEC 05 2011

COUNCIL

Dear Honorable Mitchell:

Please allow this letter to serve as the Georgia Restaurants Association's appointment to the City of Atlanta Alcohol Technical Advisory Group II (ATAG).

We feel that our Treasurer, Mr. Clay Mingus, would be best suited to represent the restaurant industry. His knowledge, expertise and ability to source national resources make him a perfect fit for this council.

Sincerely,

Anthony Joseph
Concessions International
Chair, Georgia Restaurant Association

Patrick Cuccaro
Affairs to Remember Caterers
Vice-Chair, Georgia Restaurant Association

Hank Clark
Marlow's Tavern
Secretary, Georgia Restaurant Association

CC: Councilmember Michael Julian Bond

CLAY C. MINGUS

1845 SPRING AVE. N.W., ATLANTA, GA 30318 • (678) 227-3209 • CLAY@MINGUS.COM

PROFESSIONAL

LA CIMA RESTAURANTS, LLC

JULY 2011- PRESENT

Chief Legal Officer / Partner

- Serves as Chief Legal Officer of a privately-held restaurant development company, with an existing 35-unit franchise development arrangement with Twin Peaks Restaurants.
- Oversees licensing, permitting, franchising and compliance matters for all restaurant operations.

HOOTERS OF AMERICA, LLC

MARCH 2007 – JULY 2011

Vice President, General Counsel, and Assistant Secretary

- Served as lead legal officer of international casual dining restaurant chain with \$1 billion in world-wide, annual sales.
- Headed legal department with a budget of over \$3 million, including creation of company's legal budget, management and oversight of all litigation and administrative proceedings, selection and supervision of outside counsel, preparation of EEOC Position Statements, and coordination of all internal investigations.
- Drafted and reviewed all contracts, non-compete agreements, severance agreements, franchise agreements, leases, lease addenda, estoppel certificates, subordinations, and licensing agreements executed by the Company.
- Managed legal aspects of international and domestic franchise business relations, intellectual property portfolio, real estate portfolio, and proprietary software portfolio.
- Supported board of directors and executive team in all legal matters for the company, including formulation of short- and long-term strategies and budgets.
- Oversaw food, alcohol and business licensing and corporate compliance for over 120 restaurant units and subsidiary entities, including serving as Company's representative before governmental bodies.
- Provided daily advice to President/CEO, Human Resources, Franchise, Operations, Purchasing, Information Systems, Training, Real Estate, Construction, Accounting, and Marketing.
- Served as Chair of Company's Government Affairs and Lobbying Initiative.
- Oversaw and facilitated due diligence and the successful closing of the sale of the Company to a private equity firm.

ELARBEE, THOMPSON, SAPP & WILSON, LLP

APRIL 2005- MARCH 2007

Associate – Labor and Employment, Complex Litigation

- Practiced employment litigation, traditional labor law, and general corporate litigation, including Title VII, Wage & Hour, and FLSA, FMLA, and OSHA compliance for public and private sector clients.
- Represented clients nationwide in worker's compensation and unemployment hearings.
- Counseled clients regarding corporate formation and transactions.
- Managed cases from inception to summary judgment or trial verdict.
- Drafted substance abuse policies, employment agreements and non-compete agreements for public and private sector clients.

STITES & HARBISON, PLLC

MAY 2004- APRIL 2005

Associate – Labor and Employment, Corporate Law

- Practiced labor and employment law, including managing cases from inception to trial.
- Drafted employment agreements, non-compete agreements, and contracts for national clients.

THOMPSON & ASSOCIATES, ATTORNEYS AT LAW, LLC

MAY 2001- APRIL 2004

Associate – International Banking, Labor and Employment, Corporate Law

- Assisted in organizing, marketing, obtaining funding for, licensing and operating Bank of the Caribbean, Ltd. – an offshore and domestic bank and foreign trust in Barbados and Nevis.

CLAY C. MINGUS

1845 SPRING AVE. N.W., ATLANTA, GA 30318 · (678) 227-3209 · CLAY@MINGUS.COM

- Practiced all aspects of labor and employment law, including working with State and Federal Agencies.

EDUCATION

UNIVERSITY OF GEORGIA SCHOOL OF LAW, Athens, Georgia – Juris Doctorate May 2001
Georgia Journal of International and Comparative Law – Articles Editor

PURDUE UNIVERSITY, West Lafayette, Indiana -- Bachelor of Arts 1998 – English and Spanish – With Distinction and Full Honors -- *Phi Beta Kappa*

Language fluency: English and Spanish

PROFESSIONAL ACTIVITIES AND HONORS

Presentations:

Invited Panelist: SHRM Atlanta February 2010 Chapter Meeting, February 3, 2010, “Social Media – The Power and the Risks.”

Featured Presenter: Webinar, March 2007, “How the New Rules of Electronic Discovery Affect Your Business.”

Invited Speaker: USLaw Network, Annual Conference, July 2007, “Tips From The Inside – How Outside Counsel Can Effectively Meet the Needs of Their In-House Counterparts.”

Invited Panelist: American Beverage Institute, Annual Meeting, July 2007, “Legal Issues Facing the Hospitality Industry.”

Invited Panelist: USLaw Network, Annual Conference, September 2008, “Emerging Employment Issues in the Workplace.”

Invited Speaker: National Alcohol Beverage Control Association, 16th Annual Legal Symposium, March 2009, “How to Balance Effective Regulation with Civil Liability.”

Articles:

“Preventing and Responding to a Food Safety Emergency” – Restaurant Start Up & Growth, August 2007

Named Super Lawyers Georgia Rising Star -- 2007 & 2009.

Recipient of 2010 Hooters Presidential Award for Distinguished Service

Member, Board of Directors – Georgia Restaurant Association

Chair, Board Governance Committee – Georgia Restaurant Association

Member, Governmental Affairs and Political Advocacy Committee – Georgia Restaurant Association

References available upon request.

RCS# 1604
12/05/11
5:08 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

11-C-1163, 11-C-1606 AND 11-C-1689

CONFIRM

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

| | | | |
|-----------|-------------|------------|-------------|
| Y Smith | Y Archibong | Y Moore | Y Bond |
| Y Hall | Y Wan | Y Martin | Y Watson |
| NV Young | Y Shook | NV Bottoms | Y Willis |
| Y Winslow | Y Adrean | Y Sheperd | NV Mitchell |

MULTIPLE