




October 19, 2015

MEMORANDUM

TO: District Board of Trustees
FROM: Jim Murdaugh, President 
SUBJECT: Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP September 24, 2015

Item Description

Request for approval to pay the Board's attorney.

Overview and Background

On a monthly basis, the Board's attorney submits an invoice for services provided.

Past Actions by the Board

The Board of Trustees approved the contract at the October 18, 2010 Board meeting and shall be effective through October 31, 2011. The contract may be renewed on an annual basis with four (4) consecutive one (1) year renewals for a total contract period of five (5) years. The Board approved year five (5) of the contract at the October 20, 2014 Board meeting which shall be effective until October 31, 2015. The Board shall be billed on an annual flat fee of \$175,000 for services of the firm as approved by the Board at the October 21, 2013 Board meeting.

Funding/Financial Implications

Funding is budgeted in Fund 1, the Current Unrestricted Fund. The current amount due is \$14,583.33.

Staff Resource

Barbara Wills

Recommended Action

Authorize payment of invoice as presented.

ANDREWS, CRABTREE, KNOX & ANDREWS, LLP

1558 VILLAGE SQUARE BLVD.

SUITE 1

TALLAHASSEE, FL 32309

TAX ID #59-3621660

September 29, 2015

Barbara Wills
Vice President for Administrative Services and CBO
Tallahassee Community College
444 Appleyard Drive
Tallahassee, FL 32304

Invoice# 13297 JCK
Our file# T00007 02276
Billing through 09/24/2015

Tallahassee Community College (General)
P.O. Number: PO-002478

FOR PROFESSIONAL SERVICES RENDERED

08/31/2015	JCK	Receipt and review of email from A. Mathews re employee misconduct with attachments (.3); Email to A. Mathews re employee unprofessional behavior (.1); Email to B. Ingerman re reference calls (.1); Telephone conference with A. Moran re public record issue (.1); Telephone conference with A. Moran re public record issue (.2); Telephone conference with A. Maxwell re public record issue (.4); Telephone conference with E. Jones re public record issue (.1); Receipt and review of email from B. Ingerman re reference fee (.1); Email to B. Ingerman re reference fee (.2); Receipt and review of email from Ki. Moore re escalation clause for Comcast Agreement (.1); Preparation of escalation clause for Comcast Agreement (.4); Email to Ki. Moore re Comcast Agreement (.1); Telephone conference with A. Moran re scope of public record request (.2); Receipt and review of email string from A. Moran re public record request (.2); Email to A. Moran re scope of public record request (.4);	3.00 hrs.
09/01/2015	JCK	Receipt and review of email from A. Mathews re dismissal letter for employee (.1); Review	2.30 hrs.

and analysis of proposed probation dismissal letter (.4); Review TCC Policy 10-05 (.3); Email to A. Mathews re pre-termination conference (.1); Receipt and review of email from A. Mathews with pre-termination conferences with employee to be dismissed (.3); Review and analysis of email re pre-termination conferences with employee (.2); Email to A. Mathews re dismissal letter (.1); Telephone conference with A. Mathews re employee dismissal conference (.2); Receipt and review of email from E. Jones re whether document should be provided with public record request (.1); Review and analysis of document at issue (.1); Email to E. Jones re public record and information that should be redacted (.2); Email to A. Mathews re E. Hudson EEOC claim (.1); Receipt and review of email from A. Mathews re E. Hudson EEOC claim (.1);

09/02/2015	JCK	<p>Telephone conference with Ki. Moore and R. Frazier re Gadsden Re-entry Contract (.2); Preparation of Current Administration Actions and Litigation Involving TCC to J. Murdaugh (1.2); Receipt and review of email from Ki. Moore re Gadsden Re-entry Contract with attachments (.4); Review and analysis of subcontract between the UPC and TCC (1.3); Receipt and review of email from A. Moran re public records request and whether to prepare a specific list with attached email string (.4); Email to A. Moran re duty of colleges in preparing response to email public record requests (.2); Receipt and review of email from Ki. Moore re prior contract letter (.2); Receipt and review of email from Ki. Moore re decision to terminate contract (.1); Preparation of draft letter of notice of contract termination from J. Murdaugh (.6); Email to Ki. Moore re contract termination terms (.1); Receipt and review of email from A. Moran re website civil rights information (.1); Email to A.</p>	5.20 hrs.
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Moran re website civil rights information (.4);

09/03/2015 JCK Receipt and review of email from Ki. Moore re subcontract (.1); Revise subcontract termination letter (.8); Email to Ki. Moore re subcontract termination procedure (.4); Receipt and review of email from R. Tolson re language to be included on Foundation website (.1); Receipt and review of email from Ki. Moore re employment issue at Gadsden Re-entry Center (.2); Email to B. Ingerman re reference fee (.1); Receipt and review of email from B. Sloan re student denied admission to clinical program (.1); Telephone conference with B. Ingerman re reference fees (.3); Email to B. Sloan re student denied admission to clinical program (.1); 2.30 hrs.

09/04/2015 JCK Receipt and review of email from R. Frazier re J. Young (.1); Review and analysis of letter from J. Young to R. Frazier (x2) (.2); Review and analysis of letter from J. Young to R. Green (.1); Email to Frazier and R. Green re J. Young letters (.1); Receipt and review of email from A. Mathews re employee dismissal (.1); Review and analysis of employee discipline file (.6); Review and analysis of proposed employee dismissal letter (.4); Email to A. Mathews re employee dismissal (.1); Receipt and review of email from Ki. Moore re status of materials purchased with a contract after termination of contract (.1); Review subcontract re materials purchased by TCC (.8); Email to Ki. Moore re reimbursement of TCC invoices at GRC (.3); Telephone conference with Ki. Moore re contract termination (.3); Receipt and review of email from A. Mathews re pre-determination conference (.1); Email to A. Mathews re pre-determination conference (.1); Receipt and review of email from A. Mathews re pre-determination conference (.1); Receipt and review of email from Ki. Moore re Board 4.70 hrs.

Approval of contract termination (.1); Receipt and review of email from C. Summers re Adult Civil Citation MOU (.1); Receipt and review of email from S. Search re voicemail message from attorney re student issue (.3); Email to S. Search re voicemail message (.1); Review and analysis of Appeal documents from Enrollment Appeals Committee (.4); Email to T. Folsom re issues from EAP decision (.2);

09/04/2015	MK	Review and analysis of Florida law re: whether contract termination requires Board approval (1.3); Review and analysis of TCC policies and procedures re: contract termination (.3);	1.60 hrs.
09/08/2015	JCK	Receipt and review of email from Ki. Moore re invoices under subcontract (.1); Receipt and review of email from R. Frazier re invoices not submitted to contractor (.1); Email to Ki. Moore re materials purchased by TCC under the contract (.2); Receipt and review of email from S. Search re information on student appeal to repeat a course for the fourth time (.4); Email to T. Folsom re student appeal (.1); Email to S. Search re student appeal deadline (.1); Telephone call to Attorney J. Reid re student appeal (.5); Receipt and review of email from B. Ingerman re Vantage proposal (.1); Review and analysis of Vantage proposal (.4); Email to B. Ingerman re Vantage Project (.1); Receipt and review of email from S. Search re student's second appeal right to retake course (.2); Email to S. Search re second appeal right (.4); Receipt and review of email from B. Ingerman re "refererral agreement" (.1); Email to B. Ingerman re "referral agreement" (.1); Receipt and review of email from S. Search re student's second appeal (.1);	3.00 hrs.
09/09/2015	JCK	Receipt and review of email from A. Moran re "final" Landmark/Lamar lease (.1); Review and analysis of Landmark/Lamar lease (1.4); Email to A. Moran re Landmark/Lamar lease	2.30 hrs.

		(.1); Receipt and review of email from A. Moran re Landmark/Lamar lease (.1); Telephone conference with J. Murdaugh re student denied clinical admission (.4); Telephone conference with S. Andrews re student denied clinical admission (.2);	
09/10/2015	BAA	Telephone conference with D. Weiss, Gadsden County attorney, re applicability of FDOT requirements (.5); Review and analysis of memo and communications with Gadsden County Planning Commission re proposed legislation, staff analysis, issues addressed (.8);	1.30 hrs.
09/10/2015	JCK	Receipt and review of email from A. Moran re termination clause for Landmark contract (.1); Review and analysis of termination clause (1.4); Email to A. Moran re termination clause (.1); Receipt and review of email from A. Moran re termination clause (.1); Receipt and review of email from B. Ingerman re referral fee (.1); Email to B. Ingerman re referral fee (.1);	1.90 hrs.
09/10/2015	MK	Review and analysis of case law and college policies throughout the country re: whether contractual reference discount is illegal or against public policy (.8);	0.80 hrs.
09/11/2015	JCK	Receipt and review of email from B. Ingerman re referral fees (.1);	0.10 hrs.
09/14/2015	BAA	Preparation of correspondence to A. Moran re Gadsden billboard issue (.2); Receipt, review of correspondence from A. Moran re Gadsden billboard issue (.1);	0.30 hrs.
09/14/2015	JCK	Receipt and review of email from B. Ingerman re Turning Clickers contract (.1); Receipt, review and revise Agreement for Hosting and Technology Support Services (1.2); Email to B. Ingerman re Agreement for Hosting and Technology Support Services (.1); Receipt and review of email from B. Jones re position advertisement (.1); Email to B. Jones re	5.80 hrs.

position advertisement (.2); Receipt and review of email from D. Wildes re Kent Street Land Sale (.1); Review and analysis of Agreement to Purchase and Sell Real Estate (.6); Email to D. Wildes re Kent Street Property Sale Agreement (.2); Receipt and review of email from B. Will re Kent Street Property Sale Agreement (.1); Receipt and review of email from M. Roebucks re HIPAA Agreement (.1); Review and analysis of Workday Agreement (.9); Email to M. Roebuck re Agreement (.1); Receipt and review of email from T. Folsom re two Cancellation of Terms Appeals (.1); Review and analysis of Cancellation of Terms Appeal for two students (.5); Email to T. Folsom re two student appeals (.1); Receipt and review of email from A. Mathews re employment contract non renewal (.1); Review and analysis of proposed FPSI non-renewal letter (.4); Receipt and review of email from B. Jones re vacancy advertisement (.1); Review and analysis of vacancy advertisement (.2); Email to B. Jones re vacancy advertisement (.1); Receipt and review of email from A. Mathews re non-renewal letter (.1); Email to A. Mathews re probationary employee policy (.1); Receipt and review of email from B. Jones re vacancy advertisement (.1); Receipt and review of email from A. Moran re FERPA issue (.1);

09/15/2015	BAA	Telephone conference with R. Tolson re information on prior claim resolution with OCR (.4);	0.40 hrs.
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09/15/2015	JCK	Receipt and review of email from B. Ingerman re Turning Clickers contract (.1); Receipt and review of email from A. Mathews re employee termination and background (.1); Review and analysis of employees Position Description (.2); Review and analysis of employees job evaluation (.4); Review and analysis of employees PIP (.4); Email to A. Mathews re	1.40 hrs.
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		employees responses to performance issues (.1); Receipt and review of email from A. Mathews re employees response to Performance Improvement Plan (.1);	
09/16/2015	BAA	Review and analysis of file notes of W. Mabile re J.F. discrimination matter and evidence of conclusion of matter (.4); Telephone conference with R. Tolson re settlement agreement in J.F. case (x2) (.4);	0.80 hrs.
09/16/2015	JCK	Receipt and review of email from T. Folsom re enrollment appeals review (.1); Receipt and review of email from attorney representing two students denied enrollment cancellation review (.3); Receipt and review of email from S. Search re enrollment review appeal (.1); Email to S. Search re enrollment review appeal (.1); Email to attorney Y. Trelles representing two students denied enrollment cancellation (.3);	0.90 hrs.
09/16/2015	MK	Review and analysis of FERPA and similar college policies re student's ID number on an ID card and FERPA (.8);	0.80 hrs.
09/17/2015	JCK	Receipt and review of email from attorney representing two students in second review of denial of tuition refund (.2); Email to S. Search re students second review attempt (.1); Receipt and review of email from S. Search re students second review attempt (.1); Receipt and review of email from T. Folsom re appeal process (.1); Review and analysis of TCC Appeal Policies and Administrative Procedures (.8);	1.30 hrs.
09/18/2015	JCK	Receipt and review of email from Attorney J. Reid re student second appeal to enrollment appeal committee (.1); Review and analysis of student's second appeal documents for committee (1.2); Receipt and review of email from T. Folsom re appeal (.1); Review and analysis of TCC Board of Trustees Agenda (1.6); Email to T. Folsom re student's second appeal (.1); Receipt and review of email from	4.70 hrs.

T. Folsom re distribution of appeal decision (.1); Email to T. Folsom re distribution of appeal decision (.1); Receipt and review of email from S. Search re distribution of appeal decision (.1); Email to S. Search re distribution of appeal decision (.1); Receipt and review of email from S. Search re distribution of appeal decision (.1); Receipt and review of email from T. Folsom re second appeal for two students (.1); Review and analysis of second appeal for students (.9); Email to Student Affairs re the second appeal of the two students (.1);

09/21/2015	BAA	Telephone conference with A. Moran re sign ordinance issue, dealings with Gadsden planning department, proposed ordinance, county attorney opinions (.5);	0.50 hrs.
09/21/2015	JCK	Attend Board of Trustees Meeting (3.5); Receipt and review of email from Attorney J. Reid re students second appeal (.1); Email to T. Folsom re student appeal (.1); Receipt and review of email from T. Folsom re student appeal (.1); Email to Attorney J. Reid re student's second appeal is on agenda (.1); Receipt and review of email from R. Frazier re: UPI notice letter (.1); Review and analysis of proposed letter (.2); Email to R. Frazier re UPI notice letter (.2); Receipt and review of email from Ki. Moore re UPI notice letter (.1); Receipt and review of email from J. Reid re student appeal (.1);	4.60 hrs.
09/22/2015	JCK	Receipt and review of email from Y. Trelles re two students second appeal (.2);	0.20 hrs.
09/23/2015	JCK	Receipt and review of email from A. Mathews re TCC response to EEOC re employee charge of discrimination (.1); Review and analysis of TCC's Responsive Position Statement to EEOC (.8); Revise TCC's Responsive Position Statement to EEOC (.6); Email to A. Mathews re revisions to TCC Responsive Position	6.20 hrs.

Statement to EEOC (.1); Receipt and review of email from T. Folsom re decision on three students' second appeal for Enrollment Appeals Committee (.1); Review and analysis of decision for student PH (.1); Review and analysis of decision for student AS (.1); Review and analysis of decision for student KM (.1); Email re decision to attorney for KM (.1); Email re decision to attorney for PH and AS (.1); Email to T. Folsom re decisions provided to students' attorneys (.1); Receipt and review of email from A. Mathews re EEOC Response (.1); Receipt and review of email from S. Search re former students letter and request for documents (.4); Receipt and review of email from A. Moran re student's public records request (.1); Receipt and review of email from S. Search re materials requested (.1); Telephone conference with S. Search re materials involving student denied admission (.4); Email to S. Search re materials involving student denied admission (.4); Receipt and review of email from A. Moran re student denied admission (.1); Email to E. Jones re student denied admission (.1); Receipt and review of email from E. Jones re student denied readmission public records request (.2); Receipt and review of email from Y. Trelles re student appeal decision (.1); Receipt and review of email from S. Search re denial of admission letter revisions (.1); Receipt and review of revised Denial of Admission letter (.2); Email to S. Search re Denial of Admission letter (.1); Receipt and review of email from B. Jones re sales tax on vending operations (.2); Conference with M. Kelly re sales tax on vending operations (.8); Email to B. Jones re sales tax on vending operations (.4); Receipt and review of email from J. Reid re student second appeal outcome (.1);

09/23/2015

MK

Review and analysis of case law re: whether or not TCC must tax a vendor on commission

2.50 hrs.

paid to the college and drafted a memo reflecting this (1.2); Review and analysis of case law re: whether or not TCC must tax a vending machine company or if the vending machine contractor can be responsible for all sales tax due and drafted a memo reflecting this (1.3);

09/24/2015	JCK	Receipt and review of email from A. Mathews re dismissal of employee (.1); Review and analysis of proposed dismissal letter (.4); Review and analysis of state law re basis of dismissal of college employee (.8); Email to A. Mathews re dismissal letter (.2); Receipt and review of email from B. Jones re vending sales tax (.1); Review and analysis of representative vending services agreement (.4); Receipt and review of email from A. Mathews re dismissal letter (.1); Email to B. Jones re vending machine sales tax (.3); Receipt and review of email from B. Jones re vending machine sales tax (.1); Receipt and review of email from A. Mathews re TCC's Response to EEOC re E.H. claim (.1);	2.60 hrs.
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09/24/2015	JCK	Portion of Monthly Fee;	12,395.83
09/24/2015	BAA	Portion of Monthly Fee;	729.17
09/24/2015	MK	Portion of Monthly Fee;	1,458.33
		Fees for this matter	\$14,583.33

BILLING SUMMARY

Andrews, Ben A.	Partner	3.30 hrs	\$729.17
Knox, J. Craig	Partner	52.50 hrs	\$12,395.83
Kelly, Michael	Attorney	5.70 hrs	\$1,458.33
Fees		61.50 hrs	\$14,583.33
Disbursements			\$0.00

TOTAL CHARGES FOR THIS BILL

\$14,583.33