




May 16, 2016

MEMORANDUM

TO: District Board of Trustees
FROM: Jim Murdaugh, President 
SUBJECT: Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP: April 24, 2016

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 19, 2015 Board meeting and shall be effective through October 31, 2016. 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 shall be billed on an annual flat fee of \$195,000 for services of the firm as approved by the Board at the October 19, 2015 meeting.

Funding/Financial Implications

Funding is budgeted in Fund 1, the Current Unrestricted Fund. The current amount due is \$16,250.00.

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

April 25, 2016

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

Invoice# 13699 JCK
Our file# T00007 02276
Billing through 04/24/2016

Tallahassee Community College (General)
P.O. Number: PO-003086

FOR PROFESSIONAL SERVICES RENDERED

03/24/2016	JCK	Receipt and review of email from F. Moore-Davis re Alexander Street Press Customer Licensing Agreement (.1); Review and analysis of Alexander Street Press Customer Licensing Agreement (.8); Revise Alexander Street Press Customer Licensing Agreement (.4); Email to F. Moore-Davis re Alexander Street Press Customer Licensing Agreement (.1); Receipt and review of email from B. Ingerman re MS-ISAC Services Guide, Member Agreement and TCC (.1); Review and analysis of MS-ISAC Services Guide (.8); Review and analysis of ISAC Member Agreement (.9); Email to B. Ingerman re MS-ISAC Member Agreement with TCC (.1); Review and analysis of law re definition of homelessness (1.2); Telephone conference with R. Green re homeless tuition waiver (.3); Receipt and review of email from C. Summers re RLEX MOU (.1); Review and analysis of RLEX MOU (.9); Email to C. Summers re RLEX MOU (.1);	5.90 hrs.
03/24/2016	MK	Review and analysis of Florida law discussing whether the legislature would allow a college to waive tuition, fees, or any other costs for	0.70 hrs.

any individual the college chooses (particularly the homeless) or if the college must only exempt those provided by legislature (.7);

03/25/2016	JCK	Receipt and review of email from C. Summers re RLEX Agreement (.1); Attend conference with R. Green and B. Spires with CCYS Group re Homeless Tuition Fee Waiver issue (1.8); Receipt and review of email from B. Ingerman re MS-ISAC Agreement (.1); Review and analysis of public construction law changes in 2014, 2015 and 2016 (.8);	2.80 hrs.
03/25/2016	MK	Review Chapter 1013 (educational facilities) and Chapter 255 (Public Property and Publicly Owned Buildings) of the Florida statutes to find what changes any statutes in these chapters have gone through since 2014 and drafted memo reflecting this information (1.9);	1.90 hrs.
03/28/2016	JCK	Receipt and review of email from A. Mathews re employee request for FMLA leave (.1); Receipt and review of correspondence from J. Chaires-Lacey to ineligible employee seeking FMLA leave (.2); Receipt and review of email from D. Wildes re construction contract for Capitol Center with Rippee Construction (.1); Review and analysis of agreement between TCC and construction manager (1.4); Email to D. Wildes re construction manager contract (.1); Receipt and review of email from B. Jones re student fee use (.1); Review and analysis of Florida Statute 1009.23 (1.3); Email to B. Jones re student activity fee (.1);	3.40 hrs.
03/28/2016	MK	Review and analysis of case law re: whether housing costs for non-resident athletes can be supplemented as student activity and service fees by section 1009.23 of the Florida Statutes (.9); Review and analysis of other Florida college policies re: whether they included provisions for housing costs for non-resident athletes to be supplemented as student activity	1.70 hrs.

and service fees and if not, what statute did they follow to supplement this (.8);

03/29/2016	JCK	Receipt and review of email from D. Wildes re CM contract (.1); Receipt and review of email from Ki. Moore re FTMP Sustainability MOU (.1); Review and analysis of FTMP Sustainability MOU (.6); Email to Ki. Moore re FTMP Sustainability MOU (.4); Telephone conference with R. Tolson re gender equality issue (.4); Email to Ki. Moore re FTMP Sustainability MOU (.1); Telephone call to B. Jones re student activity fee (.2); Email to B. Jones re student activity fee (.9); Receipt and review of email from B. Ingerman re SOW for EMS Software (.1); Review and analysis of SOW between TCC and EMS Software LLC (.6); Email to B. Ingerman re EMS Software LLC SOW (.1); Receipt and review of email from B. Jones re student activity fee (.1); Receipt and review of email from B. Ingerman re EMS Software SOW (.1); Receipt and review of email from A. Gaughf re EMS Software SOW (.1); Receipt and review of email from B. Ingerman re EMS Software SOW (.1); Receipt and review of email from A. Moran re subpoenaed employee records (.2); Review and analysis of subpoenas for student records (.4); Email to A. Moran re TCC's response to subpoenaed records (.8);	5.30 hrs.
03/29/2016	MK	Review and analysis of case law re: whether a trial court order supersedes FERPA in preparation for answering TCC about whether they can charge time for records request from Alabama Subpoena (.2); Review and analysis of case law discussing whether Florida public institutions are allowed to make a one stall bathroom transgender (.7);	0.90 hrs.
03/30/2016	JCK	Receipt and review of email from A. Moran re employee records subject to subpoena (.1); Receipt and review of email from A. Mathews re J. Washington retirement (.1); Review and	0.90 hrs.

analysis of retirement letter of J. Washington (.2); Receipt and review of email from R. Douglas re workers' compensation mediation in Washington case (.1); Review and analysis of Notice of Private Mediation in J. Washington workers' compensation case (.1); Receipt and review of email from A. Mathews re J. Washington workers' compensation case (.1); Preparation of email to A. Mathews re J. Washington workers' compensation case (.1); Email to R. Douglas re J. Washington workers' compensation case (.1);

03/31/2016	JCK	Receipt and review of email from C. Summers re Title IV Seminar (.1); Receipt and review of email from A. Moran re out of state subpoena for student records (.2); Email to A. Moran re investigation reveals no subpoena served on TCC in out of state court action (.4); Receipt and review of email from B. Jones re attendance at private mediation for workers' compensation case (.1); Email to B. Jones re attendance at private mediation for workers' compensation case (.1); Receipt and review of email from A. Moran re out of state subpoena (.1);	1.00 hrs.
04/01/2016	JCK	Receipt and review of email from C. Summers re Title IX and Clery Act (.1); Receipt and review of email with attachments from A. Mathews re holiday pay (.2); Telephone conference with A. Mathews re holiday pay issue (.2); Receipt and review of memo from M. Kelly re holiday pay issue (.8); Email to A. Mathews re pay issue (.4); Receipt and review of email from A. Mathews re pay issue (.1);	1.80 hrs.
04/01/2016	MK	Review and analysis of case law re: whether an "assistant director" had express or implied authority to supersede the Board of Director's pay options and give overtime to other employees; drafted memo reflecting this (1.2);	1.20 hrs.
04/05/2016	JCK	Receipt and review of email from A. Moran re	2.60 hrs.

out-of-state subpoena (.4); Receipt and review of email from requester from out of state for mediation (.2); Email to A. Moran re subpoena for records (.3); Receipt and review of email from R. Douglas re settlement of former employee's claim (.1); Email to R. Douglas re settlement of former employee's claim (.1); Telephone conference with L. Kling re special Board of Trustees Meeting (.2); Review memorandum re special Board meeting (.8); Email to L. Kling re Board meeting (.3); Receipt and review of email from A. Moran re out-of-state record request (.1); Email to A. Moran re out-of-state record request (.1);

04/05/2016	MK	Review and analysis of case law re: whether trustees can vote by telephone, email, or other electronic communication or whether they have to vote in person (1.1); Review and analysis of case law re: what notice is required for holding a special meeting for naming area at Wakulla Environmental Institute for a donor (1.0);	2.10 hrs.
04/06/2016	JCK	Receipt and review of email from A. Maxwell re out-of-state record subpoena (.2); Email to A. Maxwell re out-of-state subpoena (.3); Receipt and review of email from A. Maxwell re out-of-state subpoena (.2); Review and analysis of out-of-state subpoena served on the college (.2); Email to A. Maxwell re out-of-state subpoena (.1); Receipt and review of email from L. Kling re special Board meeting (.1); Email to L. Kling re special Board meeting (.1); Receipt and review of email from R. Douglas re discussions with injured former employee in workers' compensation case (.1); Receipt and review of email from L. Kling re special Board meeting (.1); Receipt and review of email from E. Jones re public records procedure meeting (.1); Email to E. Jones re public records procedure meeting (.1);	1.60 hrs.

04/07/2016	JCK	Preparation of email to B. Jones re former employee's workers' compensation claims (.4);	0.40 hrs.
04/08/2016	JCK	Email to A. Moran re FOGWatch (.2); Receipt and review of email from L. Kling re agenda for special Board meeting (.1); Review and analysis of special Board meeting agenda (.1); Telephone conference with L. Kling re special Board meeting (.2); Telephone conference with A. Moran re public records procedure at TCC (.6); Receipt and review of email from B. Jones re former employee's workers' compensation claim (.1); Email to B. Jones re former employee's workers' compensation claim (.1); Receipt and review of email from A. Moran re proposed public records procedure agenda (.2); Receipt and review of email from A. Moran re surveys and student email addresses (.1); Receipt and review of email from L. Wang re surveys and student email addresses (.1); Email to A. Moran re surveys and student email addresses (.4); Receipt and review of email from A. Moran re surveys and student email addresses (.1); Receipt and review of email from L. Wang re surveys and student email addresses (.1); Receipt and review of email with attachments from E. Jones re Request to Produce to TCC (.6); Review and analysis of Request to Produce to TCC (.1); Email to E. Jones re TCC's response to Request to Produce (.2);	3.30 hrs.
04/08/2016	MK	Review and analysis of changes in public records law over the past two years and drafted memo reflecting this information in preparation for public records procedure meeting (2.0); Review and analysis of case law re: how many trustees have to be at the board meeting to conduct business before special meeting on Wakulla Institute building donor (.8); Review and analysis of case law re: if a quorum is present at the special meeting can trustees still call in by phone or is this not allowed before special meeting on Wakulla	3.50 hrs.

Institute building donor (.7);

04/11/2016	JCK	Attend Special Board of Trustees Meeting (1.4); Review and analysis of recent changes to Public Records Act (.6); Email to B. Wills re changes to Public Records Act (.4); Telephone conference with A. Moran re Public Records issue (.3); Telephone conference with J. Murdaugh re regular Board Meeting (.2); Receipt and review of email from B. Wills re Public Records law change (.1); Review recent law on public participation in Board Meeting (1.0); Telephone conference with J. Murdaugh re Board Meeting (.3); Receipt and review of correspondence from C. Dwyer re contract termination letter (.1); Review and analysis of proposed contract termination letter (.2); Email to C. Dwyer re contract termination letter (.2); Receipt and review of emails (2) from B. Jones re GUSC contract (.2); Telephone conference with D. Callaway re Board Meeting (.2); Receipt and review of email from B. Ingerman re Workday order forms (.1); Review and analysis of revised Workday order forms (1.2); Email to B. Ingerman re Workday order forms (.1);	6.60 hrs.
04/11/2016	MK	Review and analysis of policies of other colleges pertaining to the public being allowed to speak and notice requirements for speaking at a board meeting (.9); Review and analysis of case law and other college policies regarding requirements for gift annuity in preparation for revising TCC's draft gift annuity form (.8);	1.70 hrs.
04/12/2016	JCK	Conference with D. Callaway re Board Meeting (1.3); Receipt and review of email from B. Ingerman re Workday order forms (.1); Email to A. Moran re credit hour issue (.1); Receipt and review of email from E. Jones re public records agreement (.1); Receipt and review of email from A. Moran re email from Provost (.1); Receipt and review of email from Provost to faculty (.2);	1.90 hrs.

04/13/2016	JCK	Receipt and review of email from B. Wills re Siemens Performance Contracting Agreement (.1); Receipt and review of email from B. Jones re Siemens Performance Contracting Agreement (.1); Review and analysis of Siemens Performance Contracting Agreement boilerplate documents (1.8); Revise Siemens Performance Contracting Agreement (.7); Email to B. Wills re Siemens Performance Contract (.1); Receipt and review of email from F. Moore-Davis re TCC Agreement with Thomson Reuters (.1); Review and analysis of Thomson Reuters Renewal Agreement (.8); Email to F. Moore-Davis re Thomson Reuters Agreement (.1); Receipt and review of email from C. Dwyer re GUSC Agreement (.1); Receipt and review of email from B. Jones re GUSC Agreement (.1); Receipt and review of email from E. Jones re public records meeting (.1); Review and analysis of proposed Gift Annuity Agreement (.4); Email to H. Mitchell re Gift Annuity Agreement (.2);	4.70 hrs.
04/14/2016	JCK	Conference call with B. Wills, B. Jones, B. Ballard & C. Dwyer re GUSC Contract (.5); Telephone conference with B. Wills and B. Jones re Oyster Aquaculture Program and Mobile Home Windstorm Mitigation (.4); Receipt and review of email from H. Mitchell re Annuity Agreement (.1); Receipt and review of email from B. Wills re Oyster Aquaculture class (.1); Review and analysis of decision from Florida Supreme Court re Public Records Act and attorney fees (.4); Email to A. Moran re recent decision on attorney fees under Public Records Act (.2); Telephone conference with B. Mabile re manufactured housing expert (.3); Telephone conference with B. Jones re Mobile Home Windstorm Mitigation (.2); Preparation of GUSC contract termination letter (.2);	1.90 hrs.
04/15/2016	JCK	Receipt and review of email from B. Wills re	3.00 hrs.

GUSC contract (.1); Receipt, review and analysis of Board Agenda (1.2); Telephone conference with J. Murdaugh re employee relations (.3); Conference with D. Callaway re Board Meeting Agenda (1.4);

04/18/2016	JCK	<p>Telephone conference with S. Rowland re student issue (.2); Review student file for meeting today with S. Rowland (.7); Conference with S. Rowland re employee issue and former student issue (.3); Attend Board Meeting (3.8); Email to A. Mathews re former employee (.2);</p>	5.20 hrs.
04/19/2016	JCK	<p>Receipt and review of email from A. Mathews re employee issue (.1); Email to A. Mathews re employee issue (.1); Review and analysis of contract non-renewal letter (.1); Email to S. Rowland re employee issue (.1); Email to B. Ingerman re revised Workday contracts (.1); Review and analysis of final revised Workday contracts (.8); Email to B. Ingerman re Workday contract (.1); Telephone conference with S. Rowland re employee issue (.2); Preparation of proposed correspondence re employee issue (.3); Receipt and review of email from S. Rowland re employee contracts (.1); Review and analysis of student employee contract (.2); Receipt and review of email from B. Ingerman re Workday Agreements (.1); Email to B. Ingerman re Workday Agreements (.1); Email to S. Rowland re proposed letter concerning employee issue (.1); Receipt and review of emails (2) from B. Ingerman re Workday Agreements (.2); Telephone conference with J. Murdaugh re Workshop issues discussion (.3); Receipt and review of email from A. Mathews re employee discipline and supporting documents (.8); Email to A. Mathews re employee discipline issue (.1); Receipt and review of email from F. Moore-Davis re Scantron Score Forms (.1); Review and analysis of Scantron Agreement and revise Scantron Agreement (.3); Email to</p>	5.60 hrs.

F. Moore-Davis re Scantron Score Forms (.1); Receipt and review of email from C. Dwyer re Green Guides liability issues (.1); Email to C. Dwyer re Green Guides liability issues (.4); Receipt and review of email from B. Jones re Green Guides issue (.1); Email to B. Jones re Green Guides issue (.1); Receipt and review of email from C. Dwyer re Oyster Aquaculture Contract (.1); Receipt and review of email from C. Dwyer re GUSC Contract (.1); Email to C. Dwyer re GUSC Contract (.1);

04/20/2016	JCK	<p>Review and analysis of Corporate Printouts for Panacea Area Oyster Co, LLC (.1); Review and analysis of Corporate Printouts for Panacea Oysters LLC (.1); Review and analysis of Corporate Printouts for Panacea Oyster Co-Op Corporation (.1); Receipt and review of email from C. Dwyer re GUSC notice (.1); Email to C. Dwyer re GUSC notice (.1); Receipt and review of email from C. Dwyer re GUSC notice (.1); Receipt and review of from C. Dwyer re Green Guides (.1); Email to C. Dwyer re Green Guides (.1); Receipt and review of emails (4) from B. Wills re updated Workday contracts (.6); Receipt and review of email from B. Jones re updated Workday contracts (.1); Telephone conference with B. Wills re updated Workday contracts (.1); Telephone conference with B. Ingerman re updated Workday contracts (.4); Receipt and review of email from C. Dwyer re Green Guide activities (.1); Receipt and review of email from E. Jones re public records conference (.1);</p>	2.20 hrs.
04/21/2016	JCK	<p>Telephone conference with S. Rowland re employee issue (.2); Receipt and review of email from S. Rowland re employee issue (.1); Receipt and review of email from A. Mathews re employee issue (.1); Email to S. Rowland re employee issue (.1); Preparation of memo re Current Administrative Actions and Litigation Involving TCC (.8); Telephone conference</p>	6.10 hrs.

with S. Rowland re employee issue (.3); Email to S. Rowland re employee issue (.1); Review TCC Personnel policies concerning alternate assignment (.8); Receipt and review of email from B. Ventry re lease termination (.1); Telephone conference with B. Wills re Workday contract (.3); Email to S. Rowland re employee issue (.1); Receipt and review of email from S. Rowland re employee issue (.1); Receipt and review of email from A. Mathews re employee discipline (.1); Review and analysis of proposed letter of notice of discipline (.4); Review law cited in letter (.4); Email to A. Mathews re revisions to letter (.1); Telephone conference with D. Wildes re lease termination (.3); Receipt and review of email from D. Wildes re lease termination letter (.1); Receipt and review of email from A. Mathews re employee discipline (.1); Telephone conference with D. Wildes re lease termination (.1); Review prior Adams Street Lease, amendments, and Memorandum of Understanding (1.4);

04/22/2016	JCK	<p>Preparation of proposed Agreement to terminate lease (1.6); Email to B. Wills and D. Wildes re proposed Agreement to terminate lease (.1); Receipt and review of email from D. Wildes re lease walk through checklist (.1); Receipt and review of email from B. Wills re proposed Agreement to terminate lease (.1); Email to B. Wills and D. Wildes re Agreement to terminate lease (.1); Receipt and review of email from A. Gaughf with executed Workday contract amendments (.1); Receipt and review of email to B. Ingerman re executed Workday contract amendments (.1); Email from D. Wildes re lease termination Agreement (.1); Receipt and review of email from C. Dwyer re GUSC contract termination (.1); Attend conference with S. Rowland and A. Mathews re employee issue (1.5);</p>	3.90 hrs.
------------	-----	--	-----------

Barbara Wills

Invoice# 13699

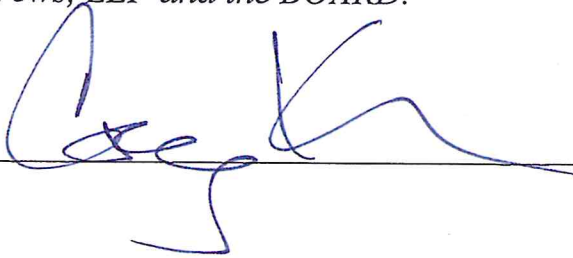
Page 12

04/22/2016	JCK	Portion of Monthly Fee;		13,487.50
04/22/2016	MK	Portion of Monthly Fee;		2,762.50
			Fees for this matter	\$16,250.00

BILLING SUMMARY

Knox, J. Craig	Partner	70.10 hrs	\$13,487.50
Kelly, Michael	Attorney	13.70 hrs	\$2,762.50
Fees		83.80 hrs	<hr/> \$16,250.00
Disbursements			<hr/> \$0.00
TOTAL CHARGES FOR THIS BILL			\$16,250.00

I certify that all costs and fees claimed for payment are accurate and were performed in furtherance of the Agreement between Andrews, Crabtree, Knox & Andrews, LLP and the BOARD.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

, Firm Contract Administrator