




November 16, 2015

MEMORANDUM

TO: District Board of Trustees
FROM: Jim Murdaugh, President 
SUBJECT: Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP October 26, 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

October 27, 2015

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

Invoice# 13359 JCK
Our file# T00007 02276
Billing through 10/26/2015

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

FOR PROFESSIONAL SERVICES RENDERED

09/25/2015	JCK	Receipt and review of email from B. Jones re insurance and liability for student boat operation in Oyster Aquaculture class (.1); Review and analysis of Oyster Aquaculture Program contract (.4); Review Florida law re boat operation regulations (.9); Email to B. Jones re boat operation (.4); Receipt and review of email from A. Mathews re employee personnel files (.2); Telephone conference with B. Mabile re former employee personnel files maintenance in the past (.2); Email to A. Mathews re former employee personnel file maintenance (.4); Receipt and review of email from B. Jones re request for indemnity provision (.1); Preparation of proposed indemnity provision (1.2); Email to B. Jones re proposed indemnity provision (.1); Receipt and review of email from B. Jones re proposed indemnification agreement (.1);	4.10 hrs.
09/28/2015	JCK	Receipt and review of email from H. Mitchell re public records inquiry (.1); Review Florida law on legal exemptions to Public Records Act for DSO's (.4); Receipt and review of email from S. Search re student denied readmission (.1); Receipt and review of email from student	5.10 hrs.

denied readmission (.1); Receipt and review of correspondence from student denied readmission (.2); Email to S. Search re suggested response to student denied readmission (.2); Receipt and review of email from S. Search re public records request (.1); Review Attorney General opinion on DSO subject to Chapter 119, Florida Statutes (.2); Email to H. Mitchell re public records inquiry (.2); Receipt and review of email from A. Gaughf re 10 2015-2016 contracts for review (.1); Review and analysis of Miami Dolphins Ltd TCC/DOT Corporate Partnership Agreement (1.0); Review and analysis of Jacksonville Jaguars LLC TCC/DOT Sponsorship Agreement (.7); Review and analysis of Miami Heat LLC and TCC/DOT Short Form Agreement (.7); Email to A. Gaughf re Miami Dolphins contract (.3); Email to A. Gaughf re Jacksonville Jaguars contract (.4); Email to A. Gaughf re Miami Heat agreement (.2);

09/28/2015	MK	Review and analysis of case law re: as a DSO, whether minutes and agenda are public record;	0.80 hrs.
09/29/2015	JCK	Review and analysis of Short Form Agreement for IMG (Pro) (.4); Email to A. Gaughf re Short Form Agreement from IMG (Pro) (.1); Review and analysis of Short Form Agreement for Clarity Activation Partners LLC (Pro) (.4); Email to A. Gaughf re Short Form Agreement for Clarity Activation Partners LLC (Pro) (.1); Review and analysis of Short Form Agreement for Clarity Activation Partners LLC (College) (.4); Email to A. Gaughf re Clarity Activation Partners LLC (College) (.1); Review and analysis of Short Form Agreement for Hurricane Sports Properties (.4); Email to A. Gaughf re Short Form Agreement for Hurricane Sports Properties (.1); Review and analysis of Short Form Agreement for Fox Sports Florida/Sun Sports (.4); Email to A. Gaughf re Short Form Agreement for Fox	5.50 hrs.

Sports Florida/Sun Sports (.1); Review and analysis of Short Form Agreement for IMG (College) (.3); Email to A. Gaughf re Short Form Agreement for IMG (College) (.1); Review and analysis of Orlando Magic LTD Sponsorship Agreement (.8); Email to A. Gaughf re Orlando Magic LTD Sponsorship Agreement (.2); Receipt and review of email from E. Jones re public records request from WEI (.1); Review public records request from WEI (.2); Email to E. Jones re public records request (.2); Receipt and review of email from E. Jones re former student's public records request (.1); Review and analysis of student's public records request (.1); Review and analysis of student communications with S. Search voice mail message from student (.3); Review and analysis of Chapter 119, Florida Statutes re audio recordings (.3); Email to E. Jones re production of public records (.1); Receipt and review of email from E. Jones re student directory information for WEI (.1); Email to E. Jones re student directory information (.1);

09/30/2015	JCK	<p>Receipt and review of email from E. Jones re public records request re WEI (.1); Email to E. Jones re public records request (.1); Receipt and review of email from B. Wills re St. Leo University lease (.1); Review and analysis of St. Leo University Lease (.8); Email to B. Wills re St. Leo lease (.2); Receipt and review of email from B. Wills re mutual indemnification in St. Leo lease (.1); Receipt and review of email from B. Wills re mutual indemnification in St. Leo lease (.1); Email to B. Wills re mutual indemnification in St. Leo lease (.1); Receipt and review of email from A. Moran re Landmark lease Easement Purchase Application (.1); Review and analysis of Landmark lease Easement Purchase Application (.4); Email to A. Moran re Landmark lease Easement Purchase</p>	0.10 hrs.
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Application (.2); Receipt and review of email from A. Moran re Landmark Lease Easement Purchase Application (.1); Receipt and review of email from R. Frazier re conference concerning Gadsden Re-entry Center (.1) Email to R. Frazier re Gadsden Re-Entry conference (.1); Receipt and review of email from Ki. Moore re Gadsden Re-entry Center (.1); Receipt and review of email from R. Frazier re Gadsden Re-entry Center (.1);

10/01/2015	JCK	Review Unlimited Path subcontract re Non Compete Agreements for TCC employee (.5); Review current Florida law under Non-Compete Agreements (1.2); Receipt and review of email from R. Frazier re conference concerning Unlimited Path contract termination (.1); Attend telephone conference with Ki. Moore and R. Frazier re Unlimited Path contract termination (.4); Preparation of Litigation and Administrative Action Memorandum to J. Murdaugh (.9);	3.10 hrs.
10/02/2015	JCK	Receipt and review of email from A. Moran re student identification numbers on student ID's (.1); Review FERPA rules (.6); Email to A. Moran re student identification numbers on ID cards (.2); Receipt and review of email from T. Folsom re two students appeal to S. Search (.1); Review and analysis of two students appeal from their attorney M. Bichler (.3); Email to T. Folsom re two students appeal (.1); Receipt and review of email from T. Folsom re S. Search's decision re two students appeal for tuition reimbursement (.1); Review and analysis of Review Decision letter from S. Search (.2); Email to S. Search re review letter (.1); Receipt and review of email from C. Summers re legislative bills (.1); Review and analysis of House Bill 163 (.3); Review and analysis of Senate Bill 300 (.3);	2.50 hrs.
10/02/2015	MK	Review and analysis of FERPA regulations, Florida law and other Florida school policies	1.20 hrs.

re: whether student IDs can have the student number without a password on the ID (1.2);

10/05/2015	JCK	Receipt and review of email from S. Search re review decision for two students (.1); Receipt and review of email from T. Folsom re review decision (.1); Email to M. Bichles re review decision for two students (.1); Receipt and review of email from A. Moran re website design contract (.1); Review and analysis of website redesign proposal from Sparxoo (.8); Email to A. Moran re website redesign proposal (.2); Receipt and review of email from B. Wills re Sparxoo contract (.1); Receipt and review of emails (2) from A. Moran re Sparxoo contract (.2); Receipt and review of email from E. Jones re public records request (.1); Review and analysis of list of Oyster Aquaculture students (.1); Receipt and review of email from B. Ballard re employment applications (.1); Receipt and review of email from B. Jones re student liability release (.1); Receipt and review of email from A. Maxwell re directory information (.1); Preparation of proposed Student Release for Oyster Aquaculture Program (2.3); Email to B. Jones re proposed Student Release (.1); Receipt and review of email from A. Mathews re termination of Gadsden Re-Entry contract (.1); Receipt and review of email from J. Murdaugh re Gadsden Re-Entry contract (.1); Receipt and review of email from A. Maxwell re director information (.2); Email to A. Maxwell re director information (.4);	5.40 hrs.
10/06/2015	JCK	Receipt and review of email string from A. Mathews re employee eligibility for rehire (.2); Review and analysis of TCC Policy on Recruitment Eligibility Procedure (.4); Review and analysis of employees Rehire Eligibility List (.1); Receipt and review of email from B. Jones re student Release (.1); Review and analysis of revisions to Oyster Aquaculture Program Release from B. Ballard (.1); Review	2.30 hrs.

and analysis of revised Release (.1); Revise Release (.8); Email to B. Jones re revised Release (.4); Receipt and review of email from B. Jones re Release (.1);

10/06/2015	MK	Review and analysis of case law and statutes regarding whether a student's email that is not listed as directory information by TCC must be disclosed since it is listed as directory information under the statute and drafted a memo reflecting this (1.2);	0.90 hrs.
10/07/2015	JCK	Receipt and review of email from A. Maxwell re public records request to WEI (.1); Review and analysis of public records request to WEI (.1); Email to A. Maxwell re public records request to WEI (.1); Receipt and review of email from C. Dwyer re class period for Oyster Aquaculture Program (.1); Receipt and review of email from S. Search re encounter with student barred readmission (.1); Receipt and review of email from T. Folsom re student barred readmission (.1); Email to T. Folsom re student barred readmission (.1); Telephone conference with B. Ballard re Oyster Aquaculture Program's current class (.4); Email to A. Maxwell re public records request and FERPA (.3);	1.40 hrs.
10/07/2015	MK	Review and analysis of case law re: whether a student's payment for materials (not tuition) in an oyster harvest class is subject to disclosure under FERPA (.8);	0.80 hrs.
10/08/2015	JCK	Receipt and review of email from B. Wills re TCC public record procedure (.1); Receipt and review of email from C. Summers re agreements for ELVIS and TraCS (.1); Receipt and review of Review and analysis of Interlocal Agreement (.9); Email to C. Summers re Interlocal Agreement (.2); Receipt and review of email from H. Mitchell re Trademark issue (.1); Review Trademark memo (.7); Email to H. Mitchell re Trademark	2.50 hrs.

issue (.4);

10/08/2015	MK	Review and analysis of federal copyright, trademark, and patent sites (as well as Florida Division of Corporations) to see if the name Cleaver and Cork is in use by other entities (.9); Review and analysis of case law re: even if another entity has a similar name what parts of their business name are trademarked and what can another person do who has a similar name to them that wants to use that name (.9);	1.80 hrs.
10/09/2015	JCK	Receipt and review of email from A. Mathews re employee prior performance issue (.2); Review and analysis of file materials on employee performance (.4); Review recent case law on pregnancy under Florida Civil Rights Act and Pregnancy Discrimination Act (.6); Telephone conference with A. Mathews re employee issue (.3); Receipt and review of email from E. Jones re public record request for WEI information (.1); Email to E. Jones re WEI information (.1); Receipt and review of email from E. Jones re public records request for WEI information (.1); Review law under FERPA re student contracts (.8); Email to E. Jones re student contracts (.2);	2.80 hrs.
10/12/2015	JCK	Receipt and review of email from H. Mitchell re Foundation Promotion (.1); Receipt and review of email from E. Jones re revised public record request (.2); Receipt and review of email from A. Mathews re proposed GRC Workforce Transition Plan (.1); Review and analysis of revised Workforce Transition Plan (.7); Receipt and review of email from B. Ballard re Oyster Aquaculture contracts (.1); Receipt and review of email C. Dwyer re Oyster Aquaculture contract (.1); Review and analysis of current Oyster Aquaculture contract (.4); Email to E. Jones re request for Oyster Aquaculture contract (.1); Email to A. Mathews re GRC Workforce Transition Plan (.2);	2.00 hrs.

10/13/2015	JCK	Telephone conference with J. Young re OSHA training (.2);	0.20 hrs.
10/14/2015	BAA	Review and analysis of agenda material and analyst information on proposed sign ordinance amendment, comparison of surrounding county ordinances, proposed amendment language (1.0); Review and analysis of Florida Statutes re DOT sign permitting requirements (.5); Preparation of correspondence to A. Moran re sign ordinance, zoning (.2); Receipt and review of correspondence from A. Moran re zoning (.1);	1.80 hrs.
10/14/2015	JCK	Receipt, review and analysis of email from R. Frazier re J. Young request for documents (.1); Receipt, review and analysis of J. Young voicemail (.1); Email to R. Frazier re J. Young request for documents (.1);	0.30 hrs.
10/15/2015	BAA	Telephone conference with A. Moran re Gadsden sign issue, possible alternatives to ordinance amendment (.7);	0.70 hrs.
10/15/2015	JCK	Telephone conference with J. Young re OSHA letter (.3); Email to Lt. Rabon re trespass warning (.2); Review and analysis of Board Agenda for October 19, 2015 (.1);	0.60 hrs.
10/19/2015	JCK	Telephone conference with B. Wills re legal contract (.3); Receipt and review of email from Ki. Moore re Gadsden Re-entry Center and potential penalties (.2); Review and analysis of Gadsden Re-entry Center contract re potential penalties (1.2); Email to Ki. Moore re interpretation of penalty provision of contract (.4); Attend TCC Board of Trustees meeting (2.4);	4.50 hrs.
10/20/2015	JCK	Receipt and review of email from C. Summers re MOU with Leon County Sheriff's Office (.1); Review and analysis of MOU between TCC and Leon County Sheriff's Office (.4); Email to C. Summers re MOU between TCC	5.90 hrs.

and Leon County Sheriff's Office (.1); Receipt and review of email from M. Roebuck re new cashier system (.2); Review and analysis of Higher One, Inc. Services Agreement (1.4); Revise Higher One, Inc. Services Agreement (.4); Email to M. Roebuck re new cashier system (.1); Receipt and review of email from Ki. Moore re DOC claim of deficiencies in Gadsden Re-entry Center (.1); Review DOC's position (.8); Email to Ki. Moore re contract interpretation (.1); Receipt and review of emails from A. Gaughf re contract review (.1); Review and analysis of Florida Panthers Hockey Club-TCC/DOT Agreement (.9); Review and analysis of Cambridge Systematics, Inc. - Florida Impaired Driving Coalition Short Form Agreement (.6); Email to A. Gaughf re contract review (.2); Receipt and review of email from Ki. Moore re liquidated damages (.1); Email to Ki. Moore re liquidated damages (.2); Receipt and review of email from M. Roebuck re Cashier Agreement (.1);

10/21/2015	JCK	<p>Receipt and review of email from S. Richard re money due (.1); Receipt and review of email from J. Murdaugh re Oyster Aquaculture Program (.2); Receipt and review of email from W. Walton (.1); Receipt and review of email from R. Green re requests for information (.1); Email to R. Green re requests for information (.4); Receipt and review of email from R. Green re requests for information (.1); Receipt and review of email from Ki. Moore re FSU tenant lease (.2); Review and analysis of TCC Capital Center Lease Agreement (1.1); Email to Ki. Moore re revisions to contract (.3);</p>	2.60 hrs.
10/23/2015	JCK	<p>Receipt and review of email from A. Moran re revisions to Lamark Agreement (.1); Receipt, review and analysis of buy back estimated schedule (.4); Telephone conference with A. Moran re maintenance of MDS sheet (.2); Review regulations and law for MSDS/SDS</p>	3.90 hrs.

(2.6); Email to A. Moran re MSDS/SDS (.5);
 Receipt and review of email from A. Moran re
 MSDS/SDS (.1);

10/26/2015	JCK	Attend conference with B. Wills, A. Moran and A. Maxwell re public records procedure (2.2); Receipt and review of email from D. Wildes re Kent Street Property (.1); Review contract for sale of Kent Street property (.4); Email to D. Wildes re Kent Street sales contract (.1); Receipt and review of email from A. Maxwell re public records forms (.1); Review and analysis of exemption form for public employees (.1); Review and analysis of records destruction form (.2); Review and analysis of records management form (.2); Receipt and review of email from D. Wildes re Kent Street property (.1);	3.50 hrs.
10/26/2015	JCK	Portion of Monthly Fee;	12,687.49
10/26/2015	MK	Portion of Monthly Fee;	1,458.34
10/26/2015	BAA	Portion of Monthly Fee;	437.50
		Fees for this matter	\$14,583.33

BILLING SUMMARY

Andrews, Ben A.	Partner	2.50 hrs	\$437.50
Knox, J. Craig	Partner	58.30 hrs	\$12,687.49
Kelly, Michael	Attorney	5.50 hrs	\$1,458.34
Fees		66.30 hrs	\$14,583.33

Disbursements	\$0.00
TOTAL CHARGES FOR THIS BILL	\$14,583.33