




April 18, 2016

## MEMORANDUM

**TO:** District Board of Trustees  
**FROM:** Jim Murdaugh, President   
**SUBJECT:** Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP: March 23, 2016

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### 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

March 28, 2016

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

Invoice# 13654 JCK  
Our file# T00007 02276  
Billing through 03/23/2016

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

FOR PROFESSIONAL SERVICES RENDERED

02/22/2016	JCK	Receipt and review of of email from B. Jones re Bid Protest Policy (.1); Review and analysis of proposed bid protest policy (2.4); Receipt and review of email from D. Frost re Food Service Contract (.1); Receipt and review of email from H. Wright re employees work status (.1); Receipt and review of email from R. Douglas re employees work status (.1); Receipt and review of email from R. Douglas re employees return to work letters (.1); Email to R. Douglas re employee return to work letters (.1); Receipt and review of email from D. Wildes re Vestry Properties (.1); Review and analysis of proposed termination notice (.2); Email to D. Wildes re proposed termination letter (.2); Receipt and review of email from H. Wright re employee return to work letter (.1); Receipt and review of email from D. Wildes re termination of lease notice (.1); Receipt and review of email from D. Wildes re original and amended lease (.1); Review and analysis of Vestry Lease Agreements (.8); Telephone conference with B. Jones re bid protest policy (.4); Revise proposed bid protest policy (.4); Email to B. Jones re bid protest policy (.2); Receipt and	6.20 hrs.
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		review of email from M. Lupe re change in injuries and claim reporting (.2); Email to B. Wills re claim reporting deadline (.1); Receipt and review of correspondence from D. Wildes re Ventry property (.1); Receipt and review of email from B. Wills re claim reporting deadline (.1); Receipt and review of email from R. Douglas re injured employees attorney (.1);	
02/22/2016	MK	Review and analysis of bid protest procedures from other colleges in Florida and throughout the country to see what language they used to make sure they complied with federal and state law;	0.80 hrs.
02/23/2016	JCK	Receipt and review of email from R. Douglas re injured employees return to work (.1); Receipt and review of email chain re injured employee's family member's emergency (.3); Receipt and review of email from H. Wright re Family Medical Leave for injured employee (.1); Email to A. Moran re public records request response (.1);	0.60 hrs.
02/24/2016	JCK	Telephone conference with A. Moran re public records request (.4);	0.40 hrs.
02/25/2016	JCK	Receipt and review of email from A. Moran re Lamar contract and student email addresses (.1); Review and analysis of Lamar Advertising Leases (1.6); Email to A. Moran re Lamar Advertising lease (.2); Review and analysis of Facilities Lease Agreement between TCC and Flagler College (1.2); Email to A. Moran re Lamar Advertising Release (.1); Email to A. Moran re Flagler and TCC lease agreement (.4); Receipt and review of email from A. Mathews re outside employment issue (.2); Review employee code of ethics (.9); Email to A. Mathews re outside employment issue (.3); Receipt and review of emails (2) from A. Moran re Lamar Lease Agreement (.2); Preparation of Administrative	6.10 hrs.

		Actions and Litigation Report (.8); Receipt and review of email from A. Mathews (.1);	
02/26/2016	JCK	Receipt and review of emails (2) from A. Moran re Lamar contract (.3);	0.30 hrs.
02/29/2016	JCK	Receipt and review of email from A. Moran re expiration of Lamar lease (.1); Review FERPA memorandum re Alumni information (.8); Receipt and review of emails from A. Moran re Alumni information (.1); Email to A. Moran re Alumni information (.3); Receipt and review of email from A. Mathews re Wright unemployment claim (.1); Review and analysis of unemployment claim documents (.6); Receipt and review of email from A. Moran re Alumni records (.1); Receipt and review of emails from Ki. Moore re Starbucks contract (.1); Review and analysis of revised Starbucks contract (.4); Email to Ki. Moore re Starbucks contract (.2);	4.10 hrs.
02/29/2016	MK	Review and analysis of case law re whether post graduation records are subject to disclosure under FERPA (.8); Review and analysis of case law re if emails/records are not protected during time at TCC but the definition of what is subject to disclosure changes to protect emails/records, does this protect an alum's email address under FERPA (.9);	1.70 hrs.
03/02/2016	JCK	Receipt and review of of email from A. Gaughf re Marriott Palm Beach Gardens Group Sales (.1); Review and analysis of Marriott Palm Beach Gardens Group Sales Agreement (.8); Receipt and review of email chain from A. Moran re public records request (.1); Review Chapter 119 re in person record review (.7); Email to A. Moran re in person public record review (.1);	1.80 hrs.
03/03/2016	JCK	Receipt and review of email from A. Moran re public records request (.1); Review Chapter 119 re inspection of public records cost	2.10 hrs.

assessment (.1); Email to A. Moran re public records request (.2); Receipt and review of email from Ki. Moore re draft Rotary proposal (.1); Review and analysis of draft Rotary proposal (1.2); Receipt and review of email from A. Moran re cost of public records inspection request (.1); Email to Ki. Moore re draft Rotary proposal (.1); Receipt and review of email from A. Moran re public record procedure conference (.1); Receipt and review of email from Ki. Moore re Rotary proposal (.1);

03/07/2016	JCK	Receipt and review of email from Ki. Moore re Starbucks MLA execution request (.2); Review and analysis of Starbucks Card Manual and licensed stores (.8); Review and analysis of final Starbucks Master Licensing Agreement (1.2); Email to Ki. Moore re Starbucks Master Licensing Agreement (.2); Email to B. Wills re firm's liability insurance certificate (.1); Receipt and review of email from A. Mathews re workers' compensation mediation (.1); Email to A. Mathews re workers' compensation mediation (.1); Attend conference call with A. Mathews re potential employee termination (.4); Receipt and review of email from B. Wills re liability insurance certificate (.1);	3.20 hrs.
03/09/2016	JCK	Receipt and review of emails from other colleges re suspect email requesting public records (.4); Email to A. Moran re public records request (.2); Email to A. Moran re actual public records request causing suspicion (.1); Review and analysis of email from A. Moran re public records request (.1);	0.80 hrs.
03/10/2016	JCK	Review and analysis of proposed Joint Cooperation Agreement from B. Ballard (1.6); Revise proposed Joint Cooperation Agreement (.6); Email to B. Ballard re Joint Cooperation Agreement (.1); Receipt and review of email string from B. Jones re insurance certificate	3.60 hrs.

		request (.2); Review and analysis of insurance certificate request (.1); Review and analysis of FCSRMC brochure (.2); Review 768.28, Florida Statutes (.8);	
03/10/2016	MK	Review and analysis of case law re: whether TCC's current interpretation of Florida law is consistent and does not conflict with federal statute discussing the homeless student tuition waiver (.9); Review and analysis of case law re: whether sovereign immunity is waived on additional insurance purchased, even if that coverage exceeds the statute's monetary ceilings on liability (1.1);	2.00 hrs.
03/11/2016	JCK	Email to A. Mathews re EEOC response (.1); Review and analysis of memo from M. Kelly re TCC's insurance limits and 768.28, Florida Statutes (.4); Telephone conference with B. Jones re insurance certificate request (.1); Email to B. Jones re insurance certificate request (.4); Receipt and review of emails from Ki. Moore re Starbucks MLA (.1); Receipt and review of emails (2) from M. Rimpini re Starbucks MLA (.2); Receipt and review of email from A. Mathews re EEOC file on E. Hudson (.1); Review and analysis of EEOC dismissal of E. Hudson claim (.1); Receipt and review of email from Ki. Moore re Starbucks MLA (.1); Email to Ki. Moore re Starbucks MLA (.1);	1.70 hrs.
03/11/2016	MK	Review and analysis of case law to see if McKinney Vento Act applies to colleges and if so, what requirements does TCC have to follow to make sure it's in compliance (.8);	0.80 hrs.
03/14/2016	JCK	Receipt and review of email from A. Moran re public records request and refusal to pay estimated cost (.2); Email to A. Moran re public records request (.1); Receipt and review of email from B. Jones re attorney response letter for audit (.1); Receipt and review of letter from J. Murdaugh providing consent to	5.30 hrs.

respond to auditor (.2); Preparation of Attorney Audit letter (1.6); Email to B. Jones re audit letter (.1); Receipt and review of email from Ki. Moore re Starbucks Agreement (.1); Review and analysis of proposed final Starbucks Agreement (1.2); Email to Ki. Moore re Starbucks Agreement approved (.1); Preparation of Current Administrative Actions and Litigation involving TCC for J. Murdaugh (.8); Receipt and review of email from A. Moran re public records request (.1); Email to A. Moran re public records request (.1); Telephone conference with A. Moran re public records request procedure (.3); Receipt and review of email string from A. Moran re public records request sent to employees whose personnel file is sought (.2); Email to A. Moran re public records request for employee personnel file (.1);

03/15/2016	JCK	<p>Receipt and review of email from Ki. Moore re Starbucks MLA (.1); Receipt and review of email from B. Wills re Starbucks MLA (.1); Receipt and review of email chain from A. Mathews re public records requests for employee personnel file (.2); Receipt and review of email from A. Gaughf re Amalie Arena Sponsorship (.1); Review and analysis of Amalie Arena Sponsorship Agreement (.8); Revise Amalie Arena Sponsorship Agreement (.3); Email to A. Gaughf re Amalie Arena Sponsorship Agreement (.1); Receipt and review of email from A. Moran to A. Mathews re public records request (.1); Receipt and review of email from A. Moran re public records request cost estimates (.1); Email to A. Moran re public records request cost estimates (.1); Receipt and review of email from A. Moran re subpoena for student records (.1); Review and analysis of subpoena and attached exhibits (.8); Receipt and review of email from B. Jones re Class 2 contract amendment with proposed amended contract (.4); Telephone</p>	3.60 hrs.
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		conference with B. Jones re Oyster Aquaculture Program (.3);	
03/15/2016	MK	Review and analysis of case law re: whether the Uniform Interstate Depositions and Discovery Act applies in Florida to see if we must comply with California subpoena (.7); Review and analysis of case law re: whether the Uniform Foreign Depositions Act applies in Florida and what a requester must show to compel our testimony/production of documents to see if we must comply with California subpoena (1.2);	1.90 hrs.
03/16/2016	JCK	Receipt and review of email from R. Green re homeless tuition waiver issue (.1); Review memo re out of state subpoena for academic records (.8); Email to A. Moran re procedure for responding to out of state subpoena for academic records (.3); Receipt and review of email from C. Dwyer re amendment to Oyster Aquaculture Class 2 contract (.1); Email to R. Green re homeless tuition waiver issue (.1); Receipt and review of email from A. Moran re California subpoena for academic records (.1); Email to A. Moran re California A. Moran re California subpoena for academic records (.1); Receipt and review of email from B. Jones re Oyster Aquaculture documents for review (.1); Review and analysis of proposed Oyster Aquaculture Program contract (.2); Review and analysis of proposed Oyster Aquaculture Program contract amendment (.8); Email to B. Jones re Oyster Aquaculture Program contract amendment (.2); Receipt and review of email from C. Dwyer re Oyster Aquaculture Program contract amendment (.1);	3.00 hrs.
03/16/2016	MK	Review and analysis of case law re: whether the College Cost Reduction and Access Act applies to TCC in terms of allowing grants to homeless students in preparation for conference next week with CCYS and drafted memorandum reflecting this (.8); Review and	1.50 hrs.



analysis of case law re: whether the Higher Education Opportunity Act applies to TCC in terms of allowing grants to homeless students in preparation for conference next week with CCYS and drafted memorandum reflecting this (.7);

03/17/2016	JCK	Telephone conference with B. Ballard re Oyster Aquaculture amendment (.4); Email to C. Dwyer re Oyster Aquaculture contract amendment (.2); Receipt and review of email from A. Gaughf re DoubleTree Suites at Lake Buena Vista Agreement (.1); Review and analysis of DoubleTree Suites at Lake Buena Vista Agreement (.9); Email to A. Gaughf re Lake Buena Vista Agreement (.1); Receipt and review of email from B. Jones re Oyster Aquaculture Contract (.1); Email to B. Jones re Oyster Aquaculture Contract (.3); Receipt and review of email from C. Summers re former student information request (.1); Email to C. Summers re former student information request (.1); Receipt and review of email from A. Moran re multiple public records requests sent to individual TCC employees (.1); Review California subpoena for former student's records (.4); Email to A. Moran setting forth proposed response to California subpoena (.4); Receipt and review of email from R. Green re meeting with CCYS staff (.1); Receipt and review of email from R. Douglas re TCC's employee's workers' compensation claim (.1); Receipt and review of email from C. Buchannon re TCC's employee's workers' compensation claim (.1); Email to A. Mathews re TCC's employee's workers' compensation claim (.1); Receipt and review of email from C. Summers re former student information request (.1); Receipt and review of email from M. Roebuck re scan for email public records requests (.1); Receipt and review of email from A. Moran re Collaborative Marketing Guidelines and Advertising Guidelines (.1);	6.00 hrs.
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Review and analysis of Collaborative Marketing Guidelines (.8); Review and analysis of Reverse Advertising Guidelines (.6) Receipt and review of email from W. Rabon re letters received from former student (.1); Review and analysis of former student's letters re 2012 incident (.4); Email to R. Frazier re former student's letters re 2012 incident (.2);

03/18/2016	JCK	Review and analysis of email from A. Mathews re employee and FMLA leave (.1); Email to A. Mathews re employee and FMLA leave issue (.1); Receipt and review of email from A. Moran re California subpoena for student records (.1); Receipt and review of email from R. Douglas re issues in workers' compensation claim for TCC employee and the exercise of FMLA leave (.2);	0.60 hrs.
03/21/2016	JCK	Receipt and review of email from M. Roebuck re public records request sent to employees (.1); Receipt and review of email from A. Moran re public records request sent to employees (.1); Receipt and review of email from R. Green re homeless tuition waiver policy (.2); Email to R. Green re homeless tuition waiver policy (.1); Receipt and review of email from A. Moran re employee public records request (.1); Email to A. Moran re employee public records request (.2); Attend Trustee Board Meeting (2.7);	3.50 hrs.
03/22/2016	JCK	Receipt and review of email from C. Buchanan re employee's workers' compensation claim (.1); Receipt and review of email from R. Green re homeless tuition waiver policy (.1); Email to R. Green re homeless tuition waiver policy (.1); Receipt and review of email from A. Mathews re employee deposition witness fee (.1); Email to A. Mathews re employee deposition witness fee (.1); Receipt and review of email from A. Mathews re employee deposition witness fee (.1);	0.60 hrs.

Barbara Wills

Invoice# 13654

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03/23/2016	JCK	Receipt and review of email from R. Green re call concerning homeless tuition waiver (.1); Email to R. Green re homeless tuition fee waiver (.1); Receipt and review of email from R. Green re homeless tuition fee waiver (.1);	0.30 hrs.	
03/23/2016	JCK	Portion of Monthly Fee;		13,975.00
03/23/2016	MK	Portion of Monthly Fee;		2,275.00
		Fees for this matter		\$16,250.00

BILLING SUMMARY

Knox, J. Craig	Partner	53.80 hrs	\$13,975.00
Kelly, Michael	Attorney	8.70 hrs	\$2,275.00
Fees		62.50 hrs	<hr/> \$16,250.00

Disbursements

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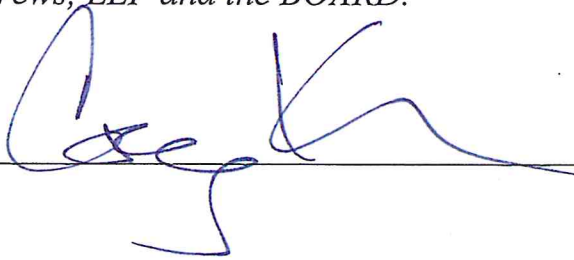
\$0.00

TOTAL CHARGES FOR THIS BILL

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\$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, appearing to be 'A. K.', written over a horizontal line.

*, Firm Contract Administrator*