




October 24, 2016

MEMORANDUM

TO: District Board of Trustees
FROM: Jim Murdaugh, President 
SUBJECT: Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP: September 27, 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

September 28, 2016

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

Invoice# 14039 JCK
Our file# T00007 02276
Billing through 09/27/2016

Tallahassee Community College (General)
P.O. Number: PO-004754

FOR PROFESSIONAL SERVICES RENDERED

08/02/2016	BJL	Preparation of correspondence to and receipt, review and analysis of correspondence from K Moore re expectation of privacy on TCC phones (.2)	0.20 hrs.
08/03/2016	BJL	Telephone call to K Moore re expectation of privacy (.3)	0.30 hrs.
08/29/2016	JCK	Receipt and review of email from A Matthews re employee discipline (.3); Receipt and review of email from B Ingerman re Team Dynamix Agreements (.1); Receipt, review and revise Team Dynamix Service Agreement (1.2); Receipt, review and revise Professional Services Agreement (.8); Receipt and review of email from R Tolson re bloodborne pathogens (.3); Receipt and review of proposed TCC Administrative Procedure 12-05AP (.8); Email to B Ingerman re Team Dynamix Contracts (.1); Receipt and review of email from A Moran re Public Record Request for faculty termination (.1); Email to A Moran re Public Record Request (.1); Review and analysis of case for First DCA on Public Record Redaction (.4); Email to A Moran re case on Public Records (.1); Email to R Tolson re bloodborne pathogens policy (.4); Receipt	5.70 hrs.

and review of email from A Moran re subpoena for records (.1); Receipt and review of subpoena for records (.2); Email to A Moran re records and subpoena (.1); Receipt and review of email from F Moore-Davis re Oxford University Press Agreement (.1); Receipt and review of revised Oxford University Press Agreement (.2); Email to F Moore-Davis re Oxford University Press Agreement (.1); Receipt and review of email from B Ingerman re Team Dynamix Agreements (.1); Receipt and review of email from F Moore-Davis re Oxford University Press Agreement (.1)

08/29/2016	MK	Review and analysis of TCC's bloodborne pathogens policy and case law/other college policies to see if TCC policy complies with federal and state law and what revisions to make (1.6); Review and analysis of case law re which members of medical staff must have training on HIV/AIDS testing to answer R Tolson's question in the bloodborne pathogens policy discussing this issue and draft memo reflecting this (.7)	2.30 hrs.
08/30/2016	JCK	Telephone conference with A Moran re employee dismissals (.4); Receipt and review of email from R Tolson re HIPAA issues with bloodborne pathogens issues (.1); Telephone conference with R Tolson re HIPAA issues (.3); Telephone conference with A Moran re employee dismissals (.3); Receipt and review of email from A Mathews re employee dismissal with attached position statement to EEOC (.8); Email to A Mathews re EEOC statement with exhibits (.9)	2.80 hrs.
08/30/2016	MK	Review and analysis of case law re best way to accomplish bargain sale agreement being a gift to the foundation even though the property value is above the amount paid for by the college (1.3); Review and analysis of case law re under TCC's AIDS/HIV policy whether a	2.10 hrs.

HIPAA release is needed in response to R Tolson's question since TCC will be holding medical information (.8)

08/31/2016	JCK	Telephone conferences (x3) with A Moran re employee dismissal issues (.9); Review memo re confidentiality of disciplinary procedures (1.2); Receipt and review of email from A Moran re employee dismissal issues (.2); Receipt and review of email from A Mathews re EEOC Response (.2); Receipt and review of email from L Kling re Special Board Meeting (.1); Receipt and review of email from L Kling re college closing for storm (.1)	2.70 hrs.
08/31/2016	MK	Telephone conference with A Moran re whether names of faculty are subject to be disclosed and what can be discussed about their discipline (.6); Review and analysis of case law re whether the names of faculty employees can be disclosed when they are facing discipline (.8); Review and analysis of case law discussing whether we can push back board meeting to set grievance hearing date if a hurricane is headed this way even though it would go beyond the 10 day limit (.8); Review and analysis of 3 quotes from Moore-Davis discussing professor's failure to gain accreditation of program to determine whether we can disclose them to the media (.4); Review and analysis of proposed amended and restated bargain sale agreement, assignments from each partner and other attached documents to determine whether the agreements is valid (1.3)	3.90 hrs.
09/01/2016	JCK	Attend TCC Special Board Meeting (2.6); Prepare Notice of Employee Dismissal Hearings (.4); Telephone conference with S Martin re Hearing (.3); Prepare of email to S Balog re Employee Dismissal Hearing (.1)	3.40 hrs.
09/06/2016	JCK	Receipt and review of email from A Mathews re employee discipline (.2); Receipt and	6.60 hrs.

review of background for discipline (.8); Email to A Mathews re employee discipline (.2); Receipt and review of email from A Mathews re employee discipline (.1); Receipt and review of email from B Wills re legal representation (.1); Review of proposed legal contract (.4); Email to B Wills re legal representation contract (.2); Receipt and review of email from B Wills re legal representation contract (.1); Receipt and review of email from R Sniffen re faculty dismissal (.1); Receipt and review of B Wills re Bargain Sale agreement (.1); Review revised Bargain Sale agreement (1.4); Email to B Wills re Bargain Sale agreement (.1); Receipt and review of email from B Ingerman re letter of agreement with Hayes e-Governmental Resources, Inc (.1); Review letter of agreement with Hayes (.4); Email to B Ingerman re Hayes Agreement (.2); Receipt and review of email from B Ingerman re Hayes Agreement (.1); Receipt and review of email from M Robeck re Workday Master subscription (.4); Review Workday Master Services Agreement; Workday Data Processing terms (1.2); Email to M Robeck re international students and workday (.3)

09/06/2016	MK	Review and analysis of master subscription agreement with Workday to determine whether adoption of EU Privacy Shield relates to international students from EU counties (.7); Review and analysis of Workday's data processing form to determine whether adoption of EU Privacy Shield relates to international students from EU countries and whether we need to sign this form (.8); Review and analysis of case law re whether adoption of EU Privacy Shield relates to international students from EU countries and draft memo reflecting this information (1.5)	3.00 hrs.
09/07/2016	JCK	Receipt and review of evaluation from R Frazier re inquiry from J Young (.1); Receipt	4.10 hrs.

and review of three inquiries from J Young (.4); Email to R Frazier re J Young letters (.1); Receipt and review of email from R Frazier re request for documents (.1); Email to R Frazier re request for documents (.1); Receipt and review of email from M Robeck re US-EU data transfers (.1); Receipt and review of email from A Moran re public records request (.1); Receipt and review of public records request (.2); Receipt and review of email from A Gaughf re 2016 FDOT Drive Sober or Get Pulled Over Agreement (.1); Review 2016 FDOT Drive Sober or Get Pulled Over Agreement (.8); Revise 2016 FDOT Drive Sober or Get Pulled Over Agreement (.1); Preparation of correspondence to A Gaughf re 2016 Drive Sober or Get Pulled Over Agreement (.1); Telephone conference with N Clark re faculty member dismissal (.4); Email to L King re faculty member dismissal (.2); Review and analysis of emails (2) from A Moran re public records request (.2); Email to A Moran re public records request (.1); Receipt and review of emails (2) from R Frazier re public records request (.2); Telephone conference with A Moran re public records request (.3); Receipt, review and analysis of correspondence from R Frazier re public records request (.1); Receipt and review of emails (2) from A Moran re public records request (.2); Receipt and review of email from E Jones re public records request (.1)

09/08/2016

JCK

Telephone conference with A Moran re public records request (.3); Receipt and review of email from A Moran re public records request (.2); Telephone conference with A Moran re public records request (.1); Telephone conference with A Moran re public records request (.1); Telephone conference with R Smith re faculty member termination hearing (.1); Telephone conference with F

3.20 hrs.

Moore-Davis re faculty dismissal (.1); Receipt and review of email from S Mathews re case management in faculty dismissal hearing (.1); Receipt and review of email from R Smith re case management in faculty dismissal hearing (.1); Receipt and review of email from F Moore-Davis re conference call (.1); Receipt and review of email from R Frazier re public records request (.1); Email to R Frazier re public records request (.1); Receipt and review of email from F Moore-Davis re MTI Production contracts (.1); Receipt and review of MTI Production contract for 2015-2016 (.4); Receipt and review of MTI Production contract for 2016-2017 (.7); Revise MTI Production contract for 2016-2017 (.3); Email to B Ingerman re Quick Team Dynamic contract revision (.1); Receipt and review of email from B Ingerman re Quick Team Dynamic contract revision (.1)

09/09/2016	JCK	<p>Preparation of correspondence to Attorneys re Case Management Hearing in Faculty Dismissal cases (.2); Receipt and review of email from B Ingerman re Team Dynamix Contract (.1); Receipt and review of Team Dynamix Contract (.4); Email to B Ingerman re Team Dynamix Contract (.1); Telephone conference with A Moran re Public Record Request (.3); Receipt and review of email from F Moore-Davis re MTI Productions contract (.1); Receipt and review of email from A Mathews re employee discipline (.1); Receipt and review of employee disciplinary file (1.2); Telephone conferences (2) with A Mathews re employee disciplinary file (.5); Telephone conference with W Mabile re Title IX Investigation (.3); Receipt and review of emails (2) from B Ingerman re contractor difficulty (.3); Receipt and review of email from B Wills re contractor difficulty (.1); Telephone conference with R Sniffen and T Harmon re faculty hearings (.4); Receipt and</p>	4.60 hrs.
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review of emails (2) from A Moran re public records request (.2); Email to A Moran re public records request (.1); Telephone conference with B Ingerman re Team Dynamix contract (.2)

09/12/2016	JCK	Telephone conference with A Moran re public records report (.5)	0.50 hrs.
09/13/2016	JCK	Receipt and review of email from R Frazier re Young request (.1); Receipt and review of letter from J Young (.2); Email to R Frazier re Young request (.1); Receipt and review of email from H Mitchell re scholarship criteria (.2); Receipt and review of emails (2) from B Spies re scholarship criteria (.2); Email to B Spies re scholarship criteria (.1); Receipt and review of email from B Wills re Legal Services contract (.2); Email to B Wills re Legal Services contract (.1); Receipt and review of Financial Aid Diversity Manual (1.2); Email to H Mitchell re scholarship criteria (.1); Receipt and review of email from H Mitchell re scholarship criteria (.1); Receipt and review of invoice from Bryant Miller Olive (.1)	2.70 hrs.
09/13/2016	MK	Review and analysis of case law on how TCC could institute a scholarship based on racial criteria and draft memo reflecting this (1.8); Review and analysis of case law on how TCC could institute a scholarship based on gender criteria and draft memo reflecting this (1.6); Review and analysis of case law on whether sexual orientation is considered a protected class and how we can get around instituting a scholarship on gender grounds without overstepping into sexual orientation (1.3); Review and analysis of alternatives to initiating scholarship based on race and gender to accomplish the same goals (.9)	5.60 hrs.
09/14/2016	MK	Revised memorandum analyzing case law on how TCC could institute a scholarship based	0.50 hrs.

		on race or gender criteria before sending to Heather (.5)	
09/14/2016	JCK	Receipt and review of Memorandum of Law re scholarship criteria based upon gender and race (1.8); Telephone conferences (x2) with with A Moran re Collective Bargaining and public records requests (.5); Telephone conference with F Moore-Davis re faculty dismissal hearings (.4)	2.70 hrs.
09/15/2016	JCK	Receipt and review of emails (x2) from A Mathews re faculty issue (.2); Receipt and review of email from R Tolson re faculty issue (.1); Receipt and review of email from R Frazier re J Young request (.1); Receipt and review of J Young request (.1); Email to R Frazier re J Young request (.1); Email to H Mitchell re scholarship criteria (.9); Receipt and review of email from H Mitchell re Federal funding (.1); Email to H Mitchell re Federal funding (.1); Receipt and review of emails (x2) from A Mathews re faculty issue (.2); Email to A Mathews re faculty issue (.1); Receipt and review of Board Agenda (1.2); Attend conference with Chairman R Pople (1.6); Receipt and review of email form B Jones re Scope of Work/Deliverables for DEM Grant (.1); Receipt and review of DEM HLMP Contract (.6); Receipt and review of State Funded Subgrant agreement (.8); Conference call with A Mathews re faculty member issue (.4); Telephone conference with T Harmon re witness interview (.3); Telephone conference with a student re faculty dismissal (.2); Telephone conference with T Harmon re potential witness (.2); Receipt and review of email from H Mitchell re scholarship criteria (.1); Email to H Mitchell re scholarship criteria (.2); Receipt and review of email from B Wills re scholarship criteria (.1); Email to B Wills re scholarship criteria (.5)	8.30 hrs.
09/15/2016	MK	Draft memorandum for to Heather Mitchell	2.90 hrs.

outlining four factors we have to meet if we do go forward with a discriminatory scholarship (1.2); Review and analysis of case law re whether a direct support organization is allowed to discriminate since it is a nonprofit corporation separate from TCC and draft memo reflecting this (1.7)

09/16/2016	JCK	Receipt and review of email from A Moran re faculty dismissal hearing (.1); Email to A Moran re faculty dismissal hearing (.1); Telephone conference with A Moran re public record request (.3); Receipt and review of email from L Kling re faculty dismissal (.1); Email to L Kling re faculty dismissal (.1); Receipt and review of email from B Wills re Foundation Scholarship (.1); Receipt and review of email from H Mitchell re Foundation Scholarship (.8); Email to B Wills re Foundation Scholarship (.1); Receipt and review of email from B Spiers re Foundations Scholarship (.1); Email to B Spiers re Foundation Scholarship (.1); Telephone conference with B Wills re Foundation Scholarship (.1); Receipt and review of emails from R Frazier re J Young request (.2); Email to R Frazier re J Young request (.1); Receipt and review of email from H Mitchell re Foundation Scholarship (.1); Receipt and review of FSU scholarship example (.2); Email to H Mitchell re Foundation Scholarship (.7); Receipt and review of email from L Kling re faculty dismissal hearing (.1); Continued review of DEM State Funded Subgrant Agreement (.7); Email to to B Jones re DEM State Funded Subgrant Agreement and scope of work/deliverables (.1); Receipt and review of email from A Mathews re employee discipline (.1); Receipt and review of supporting documentation for employee discipline (.2); Email to A Mathews re employee discipline (.1); Receipt and review of email from L Kling re President's evaluation	8.30 hrs.
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(.1); Email to L Kling re President's evaluation (.1); Receipt and review of email from A Bradbury re contract review (.1); Receipt, review and revise Fox Sports Agreement (.3); Receipt, review and revise IMG College LLC Agreement from FSU (.4); Receipt, review and revise IMG College LLC Agreement from UF (.3); Email to A Bradbury re contract review and revisions (.1); Receipt and review of email from A Mathews re employee discipline (.1); Receipt and review of video news story re employee (.1); Receipt and review of email from A Bradbury re Florida Panther Agreement (.1); Receipt, review and revise Florida Panther Sponsorship Agreement (1.2); Telephone conference with A Mathews re public records request (.2); Email to A Bradbury re Florida Panther Agreement (.1); Receipt and review of emails (x2) from A Moran re public records request (.2); Emails (x3) to A Moran re public records request (.3)

09/19/2016	JCK	<p>Receipt and review of email from H Mitchell re Foundation Scholarships (.1); Receipt and review of email from A Mathews re public records request (.1); Receipt and review of proposed response with documents to public records request (.7); Receipt and review of email from A Mathews re second public records request (.1); Receipt and review of proposed response with documents for second public records request (.4); Email to A Mathews re approval of public records response (.1); Receipt and review of email from A Mathews re approval of public records response (.1); Receipt and review of email from A Mathews re additional documents for public records request (.1); Receipt and review of additional documents from public records request (.4); Email to A Mathews re public records request (.1); Attend Board of Trustees meeting and Executive Session (4.3)</p>	6.50 hrs.
09/20/2016	JCK	<p>Receipt and review of email from E Jones re</p>	4.00 hrs.

public records request (.8); Email to R Sniffen re faculty dismissal documents (.2); Receipt and review of email from S Mathews office (.1); Conference with N Clark re faculty dismissal hearing (.2); Attend case management conference for two faculty dismissal hearings (.6); Telephone conference with L Kling re hearing schedule (.2); Email to L Kling re hearing schedule (.2); Receipt and review of email from A Moran re public records request (.1); Email to A Moran re public records request (.2); Receipt and review of email from S Mathews office re witness and exhibit lists (.1); Receipt and review of exhibit lists for both faculty members subject to dismissal (.3); Receipt and review of witness lists for both faculty members subject to dismissal (.2); Email to A Moran re documents produced for disclosure (.2); Receipt and review of email from L Kling re hearing resources (.1); Email to L Kling re hearing resources (.3); Telephone conference with F Moore-Davis re faculty computer use (.2)

09/21/2016	JCK	<p>Receipt and review of email from K Moore re dress codes (.4); Receipt, review and analysis of correspondence from faculty member re union issue (.5); Telephone conference with R Pople re employee background check (.1); Receipt and review of email from K Moore re minor's accessing resource room (.1); Email to K Moore re minor's accessing resource room (.4); Receipt and review of email from B Wills re Short Form Agreement (.1); Receipt and review of Short Form Agreement for College sports activities (.4); Receipt and review of Short Form Agreement from Professional Sports Activities (.3); Receipt, review and analysis of email from L Kling re faculty dismissal hearings (.2); Telephone conference with B Jones re Level II screening (.2); Receipt and review of email from B Wills re Short Form Sports Activity Agreement (.1);</p>	4.20 hrs.
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Receipt and review of email from B Wills re Woodcrest Lease Agreement (.1); Receipt and review of Assignment and Assumption of Commercial Lease Agreement (.5); Email to B Wills re Woodcrest Commercial Lease Agreement (.1); Receipt and review of email from F Moore-Davis re computer access with attachments (.3); Email to F Moore-Davis re computer access (.1); Telephone conference with F Moore-Davis re computer access (.2); Email to L Kling re faculty dismissal hearings (.1)

09/21/2016	MK	<p>Review and analysis of TCC Gadsden Center Dress Code and Computer Lab Guidelines to see if it is legally valid (.6); Review and analysis of case law and other college policies re whether we can withhold children from attending a Computer Lab to see if guidelines are legally valid (1.1); Review and analysis of case law and other college policies re whether telling people they can't wear do-rags or bandanas would classify as racial discrimination and/or religious discrimination to see if TCC Dress Code is valid (.1.3); Review and analysis of case law and other college policies re whether we should include provision stating Computer Lab should be restricted to current students, faculty and staff to prevent strangers from entering or homeless people (.7); Review case law re whether 2 faculty who have a disciplinary hearing can be required to turn over their computers and/or be required to not delete anything off their computers even though they have not been terminated yet (1.1)</p>	4.80 hrs.
09/22/2016	JCK	<p>Telephone conference with A Moran re several public records requests (.4); Receipt and review of email from B Wills re Woodcrest Lease Agreement (.1); Receipt and review of email from L Kling re faculty dismissal hearings (.1); Telephone conference with A Moran re solicitation at TCC event (.4);</p>	1.20 hrs.

		Receipt and review of email from S Mathews re faculty dismissal (.1); Email to L Kling re faculty dismissal hearing (.1)	
09/23/2016	JCK	Receipt and review of email from A Bradbury re contract review (.1); Receipt and review of Agreement with Big Bend Community Based Care & TCC (.9); Email to A Bradbury re contract review (.1); Receipt and review of email from A Bradbury re contract review (.1)	1.20 hrs.
09/26/2016	JCK	Receipt and review of email from L Kling re J Young request (.1); Email to L Kling re J Young request (.1); Receipt and review of emails (x2) A Mathews re employee discipline (.2)	0.40 hrs.
09/27/2016	JCK	Receipt and review of email from A Matthews re employee discipline (.2); Telephone conference with Renee Tolson re employee discipline (.1)	0.30 hrs.
09/27/16	BJL	Portion of Monthly Fee	\$82.00
09/27/16	JCK	Portion of Monthly Fee	\$12,048.00
09/27/16	MK	Portion of Monthly Fee	\$4,120.00
		Fees for this matter	\$16,250.00

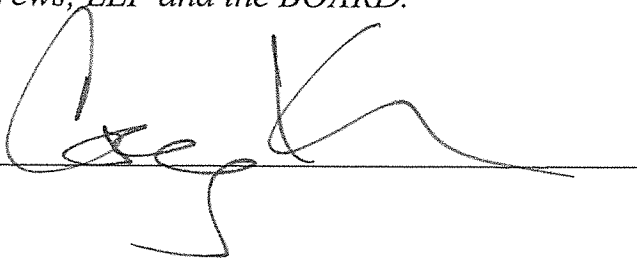
BILLING SUMMARY

Longfellow, B. Joe	Partner	0.50 hrs	\$82.00
Knox, J. Craig	Partner	73.40 hrs	\$12,048.00
Kelly, Michael	Attorney	25.10 hrs	\$4,120.00
Fees		99.00 hrs	\$16,250.00
Disbursements			\$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.

 _____, *Firm Contract Administrator*