




November 21, 2016

MEMORANDUM

TO: District Board of Trustees

FROM: Jim Murdaugh, President 

SUBJECT: Attorney Invoice - Andrews, Crabtree, Knox & Longfellow, LLP: October 28, 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. The Board approved the first annual renewal of this contract effective November 1, 2016 through October 31, 2017 at the September 19, 2016 Board 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 & LONGFELLOW, LLP

1558 VILLAGE SQUARE BLVD.

SUITE 1

TALLAHASSEE, FL 32309

TAX ID #59-3621660

October 28, 2016

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

Invoice# 14123 JCK
Our file# T00007 02276
Billing through 10/28/2016

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

FOR PROFESSIONAL SERVICES RENDERED

09/28/2016	JCK	Receipt, review and analysis of correspondence from S Mathews re public records request with attachments (.3); Email to A Moran re public records request (.2); Telephone conference with Renae Tolson re employee resignation (.2); Receipt and review of email from A Moran re public records request (.2); Receipt and review of proposed response to public records requests (.2); Receipt and review of email from S Mathews re public records request (.2); Telephone conference with A Moran public records request (.4); Receipt and review of email from President Murdaugh re public records request (.1); Receipt and review of email from C Dwyer re lease agreement (.1); Receipt and review of proposed draft lease (1.2); Revise proposed draft lease (.4); Conference with A Mathews and D Autry re employee discipline issue (.8); Conference with A Mathews re faculty contract (.4); Receipt and review of email from B Jones re proposed draft lease (.1); Receipt and review of amended proposed draft lease (.4); Revise amended proposed draft lease (.2); Receipt and review of emails (x2) from A Moran re public records request	5.80 hrs.
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(.4)

09/28/2016 MK Review and analyze case law and policies re students kneeling for the National Anthem (1.1) 1.10 hrs.

09/29/2016 JCK Receipt and review of email from F Moore-Davis re Swank Motion Pictures, Inc licensing Agreement (.1); Receipt and revise Swank Motion Pictures, Inc digital campus agreement proxied database licensing agreement(.6); Email to F Moore-Davis re Swank Motion Pictures, Inc. licensing agreement (.1); Telephone conference with A Moran re public records request (.1); Email to C Dwyer re amended draft lease (.1); Receipt and review of email A Moran re union issues (.1); Receipt and review of proposed statements re union issues and collective bargaining (.3); Receipt and review of email from D Heekin re union issue statements (.1); Receipt and review of email from A Moran re union issue statements (.1); Receipt and review of emails (x3) from B Ingerman re public records request (.3); Receipt and review of emails (x4) from A Moran re public records request (.4); Receipt and review of email from C Dwyer re amended draft lease (.1); Email to A Moran re public records request (.1); Receipt and review of email from B Ingerman re potential conflict (.1); Email to B Ingerman re potential conflict (.6); Receipt and review of email from S Rowland re National Anthem and protections (.2); Review case law re the National Anthem and protections (.8); Receipt and review of email from A Bradbury re VOCA agreement (.1); Receipt and revise VOCA agreement (1.2); Email to A Bradbury re VOCA agreement (.1); Receipt and review of email from B Wills re agreement for Test Development Center (.1); Receipt and review of MOA for test Development Center (.9); Email to B Wills re MOA for Test Development Center (.1); Receipt and review

of email from B Ingerman re conflict of interest (.1); Email to B Ingerman re conflict of interest (.2); Preparation of Litigation and Administrative Action Memorandum to President Murdaugh (.8)

09/30/2016	JCK	<p>Receipt and review of email from A Mathews re employee medical issue with supporting attachments (.4); Email to A Mathews re employee medical issue (.3); Receipt and review of email from A Mathews re employee medical absence with attached medical report (.2); Receipt and review of emails (x2) from C Dwyer re amended proposed lease (.2); Receipt and review of email from B Wills re amended proposed lease (.1); Telephone conference with B Wills re Starbucks (.3); Receipt and review of emails (x2) from B Ingerman re potential conflict of interest (.2); Email to B Ingerman re potential conflict of interest (.1); Receipt and review of emails (x2) from A Moran re public records request (.2); Email to A Moran re public records request (.1); Receipt and review of emails from A Mathews re employee H/R complaint (.1)</p>	2.20 hrs.
10/03/2016	JCK	<p>Receipt and review of email from C Dwyer re amended proposed lease (.1); Receipt and review of email from K Moore re Use of Space Agreement (.1); Receipt and review of Use of Space Agreement (.6); Email to K Moore re Use of Space Agreement (.3); Receipt and review of email from A Mathews re employee discipline (.1); Receipt and review of Notice of Termination letter and attachments (.4); Receipt and review of emails (x2) from K Moore re Use of Space issue (.3); Emails (x2) to K Moore re Use of Space issue (.2)</p>	2.10 hrs.
10/04/2016	JCK	<p>Receipt and review of email from B Wills re DOT Grant (.1); Receipt and review of Short Form Agreement for Advertising and Promotional Benefits (.5); Email to B Wills re DOT Grant (.1); Receipt and review of email</p>	2.20 hrs.

from C Dwyer re class attendance (.1); Email to C Dwyer re class attendance issue (.1); Receipt and review of email form C Dwyer re non-student activities (.1); Email to C Dwyer re non-student activities (.2); Telephone conference with B Jones re building issue (.3); Receipt and review of emails (x2) from C Dwyer re class alternative issue (.2); Emails (x2) to C Dwyer re class alternative issue (.2); Receipt and review of emails (x2) from B Jones re class alternative issue (.2)

10/05/2016	JCK	Receipt and review of email from C Dwyer re class attendance (.1); Receipt and review of emails (x2) from B Wills re bargain sale agreement (.3); Receipt and review of amended Bargain Sale Agreement (1.2); Email to B Wills re Amended Bargain Sale Agreement (.1)	1.70 hrs.
10/05/2016	MK	Review and analysis of amended bargain sale agreement and transfer of partnership interests agreement to see whether the transfer should be between the partnership and the foundation or TCC (.3); Review and analysis of case law re whether the bargain sale agreement should be between TCC and the partnership or the foundation (.8); Review and analysis of case law re whether a partnership can transfer their interest to TCC or the TCC foundation to answer B Wills' question (.8)	1.90 hrs.
10/06/2016	JCK	Receipt and review of emails (x4) from A Mathews re employee suspension (.5); Receipt and review of documents supporting employee suspension (.4); Emails (x2) to A Mathews re employee suspension (.2); Telephone conference with B Wills re amended Bargain Sale Agreement (.3); Receipt and review of email from B Wills re amended Bargain Sale Agreement with attachments (.8); Telephone conference with A Mathews re employee discipline (.1); Receipt and review of attachments for employee discipline (.4)	3.00 hrs.

10/07/2016	JCK	Receipt and review of email from A Moran re public records request (.2); Email to A Moran re public records request (.1)	0.30 hrs.
10/10/2016	JCK	Receipt and review of email from C Dwyer re Proof of Insurance (.1); Receipt and review of Certificate of Liability (.2); Receipt and review of Amended and Restated Articles of Incorporation (.8); Review public office's code of ethics (.9); Receipt and review of emails (x2) from A Moran re faculty dismissal records (.2); Emails (x2) to A Moran re faculty dismissal records (.2); Receipt and review of email from V Bramblett re public records request (.1); Telephone conference with A Moran re public records request and public meeting notices (.3); Receipt and review of email from F Moore-Davis re public meeting notice (.1); Receipt and review of emails (x2) from D Heekin re public meeting notice (.2); Receipt and review of email from President Murdaugh re public records request (.1); Receipt and review of A Moran re public records request (.1); Receipt and review of emails (x2) from B Ingerman re requests for email information (.3); Review TCC policy #03-26 (.6); Email to B Ingerman re requests for email information (.4); Review Chapter 119, Fla Stat. (.4); Email to B Ingerman re requests for public records (.2); Receipt and review of email from A Moran re public records request (.1); Email to A Moran re public request request (.1); Review and analysis of email from A Moran re public records requests estimate (.1); Receipt and review of email from A Bradbury re grant for review (.1); Receipt and review of Short Form Agreement for College Sports Activities DOT 1 (.4); Receipt and review of Short Form Agreement for College Sports Activities DOT 2 (.6); Email to A Bradbury re College Sports Activities DOT 1 and 2 (.1)	6.70 hrs.

10/10/2016	MK	Review and analysis of case law and TCC's policy re privacy rights (1.4); Review and analysis of case law and TCC's policy re potential conflict of interest (1.3)	2.70 hrs.
10/11/2016	JCK	Receipt and review of email from B Wills re amended proposed lease (.1); Email to C Dwyer re TCC as named insured for lease (.1); Receipt and review of emails (x3) from C Dwyer re Certificate of Insurance (.3); Receipt and review of email from K Moore re revised Capital Center release (.1); Receipt and review of proposed revisions to Capital Center release (.6); Email to K Moore re revised Capital Center lease (.1); Receipt and review of email from B Jones re amended proposed lease (.1); Email to B Jones re amended proposed lease (.1); Receipt and review of email to B Ingerman re proposed policy (.1); Receipt and review of proposed policy (.4); Telephone conferences (x2) with B Jones re lease (.4); Telephone conference with B Ballard re lease (.4); Receipt and review of emails (x2) from B Ingerman re electronic records policy (.2); Email to B Ingerman re electronic records policy (.1)	3.10 hrs.
10/13/2016	JCK	Receipt and review of email from A Moran re signage (.1); Review ADA Signage Guidelines (1.4); Email to A Moran re ADA Signage Guidelines (.4); Receipt and review of email from R Sniffen's office re request for extension to submit faculty dismissal hearing evidence disclosures (.1); Email to N Clark re extension request (.1); Receipt and review of email from N Clark re extension request (.1); Email to Attorney in Faculty Dismissal cases re extensions to file disclosures (.2); Email to A Moran re public records request (.1); Receipt and review of email to A Moran re public records request (.2); Receipt and review of email from Amy Bradbury re DOT-Tampa Bay Rays baseball contract (.1); Receipt, review and revise DOT-Tampa Bay Rays	5.60 hrs.

sponsorship with advertising agreement (1.4);
 Email to A Bradbury re sponsorship and
 advertising agreement (.1); Receipt and review
 of email from A Moran re signage (.1);
 Receipt and review of proposed signs and
 maps (.2); Receipt and review of ADA
 Guidelines for signs and maps (.6); Email to A
 Moran re maps and signs (.4)

10/13/2016	MK	Review and analysis of case law re guidelines for ADA compliance for signs on campus and draft memo reflecting this information (1.5); Review and analysis of campus maps at TCC and case law on guidelines for ADA compliance for maps on campus and draft memo reflecting this information (1.1); Begin review of case law re free speech zones (.9)	3.50 hrs.
10/14/2016	JCK	Receipt and review of email from B Ingerman re contract with Hayes (.2); Receipt, review and revise Master Service Agreement with Hayes E-Governmental Resources, Inc (2.9); Telephone conference with B Ingerman re IT record production issue (.3); Telephone conference with S Rowland re Free Speech on Campus issue (.3); Receipt and review of email from A Moran re signage and ADA requirements (.1); Telephone conference with A Moran re public records request (.8); Receipt and review of email from A Moran re public records request (.1); Email to A Moran re public records request (.1); Receipt and review of email from A Moran re response to public records request (.2); Email to A Moran re response to public records request (.1); Receipt and review of email from E Jones re public records request (2.4); Receipt and review of email from A Moran re public records request (.1); Conference with A Maxwell re public records request (.3)	7.90 hrs.
10/17/2016	JCK	Telephone conference with A Moran re public records procedure (.3); Telephone conference with from J Barton re psychological records	3.60 hrs.

subpoena (.2); Receipt and review of email from B Ingerman re Hayes contract revisions (.1); Second revision of Hayes contract (.1); Email to B Ingerman re Hayes Second contract revisions (.2); Receipt and review of email from A Bradbury re FDOT Sponsorship and advertising agreement with Tampa Bay Rays (.1); Email to A Bradbury re FDOT Sponsorship and advertising agreement with Tampa Bay Rays (.1); Receipt and review of email from B Ballard with proposed draft Agreement (1.6); Telephone conference with A Moran re public records request (.3); Receipt and review of email from A Moran re public records request (.1); Receipt and review of email from C Dwyer re Drone Equipment coverage (.1); Email to C Dwyer re Drone Equipment coverage (.1); Receipt and review of email from C Dwyer re Drone Equipment insurance contract (.1); Email to C Dwyer re Drone Equipment insurance contract (.1)

10/18/2016	JCK	Telephone conference with B Ballard re proposed draft Agreement (.4); Receipt and review of emails (x2) from C Dwyer re drone operation during class (.2); Email to C Dwyer re drone operation during class (.1); Receipt and review of emails with attachments from R Sniffen re Witness and Exhibits fee used in faculty member dismissal hearings (.8); Email to N Clark re filings in faculty dismissal hearings (.2); Receipt and review of email from C Dwyer re questions about drone class for Spring 2017 (.2); Review and analysis of memorandum re new drone class requests (.8); Email to C Dwyer re new drone class requests (.3); Continue revisions of proposed draft Agreement (1.1); Receipt and review of email from C Dwyer re insurance for Co-Op Agreement (.1); Receipt and review of Certificate of Insurance (.1); Email to C Dwyer re Agreement and Insurance (.1); Receipt and review of email from C Dwyer re drones for	4.60 hrs.
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educational use (.1); Review and analysis of email from B Jones re drone contract (.1)

10/18/2016	MK	<p>Review and analysis of recent changes to FAA drone regulations re whether a teacher at TCC who has permission to fly a drone in his business' name may teach a course to a college kids to answer C Dwyer's question (1.4); Review and analysis of recent changes in FAA drone regulations re whether TCC may allow students who purchased their own drones to fly their drones during class to answer C Dwyer's question (1.1); Review and analysis of recent changes in FAA drone regulations re whether there is an issue with an instructor teaching students how to pass the licensure exam to answer C Dwyer's question (1.2); Review and analysis of recent changes in FAA drone regulations re when are other times students can operate their drones during class time to answer C Dwyer's question (.5)</p>	4.20 hrs.
10/19/2016	JCK	<p>Continue revisions of proposed draft Agreement (1.6); Email to B Ballard re Agreement (.1); Receipt and review of email from C Dwyer re lease at WEI (.1); Email to C Dwyer re lease at WEI (.1); Receipt and review of email from A Matthews re employee discipline (.2); Telephone conference with B Jones re Agreement (.2); Email to B Jones re Agreement (.1); Receipt and review of email from C Dwyer re Agreement (.1); Receipt and review of email from C Dwyer re WEI drone coverage (.1); Receipt and review of email from B Jones re revised Agreement (.1); Second revision of draft Agreement (.6); Emails (x2) to B Jones re changes to Agreement (.2); Receipt and review of emails (x3) from B Jones re changes to Agreement (.3); Receipt and review of email from B Ballard re changes to Agreement (.1); Receipt and review of email with attachments from C Dwyer re drone instruction requirements (.4); Receipt and review of BOT agreement (1.2);</p>	6.50 hrs.

		Review memo on FAA checklists for drone instruction (.8); Email to C Dwyer re drone instruction (.1); Receipt and review of email from C Dwyer re drone instruction (.1)	
10/19/2016	MK	Telephone conference with FAA discussing whether a teacher at TCC who has premission to fly a drone in business' name may teach a course to college kids to answer C Dwyer's question (.6); Review and analysis of case law discussing if a faculty member does not touch or operate the drones is allowed to teach students without a pilot's license (.8); Review and analysis of colleges in Florida that have a drone course to determine whether they are certified or whether they hire people who are certified instead (.9); Review and analysis of agreement for proprietary business information (.7); Review and analysis of case law to see if agreement contains proprietary business information exempt from disclosure (.8)	3.80 hrs.
10/20/2016	JCK	Continue review of Board of Trustees Agenda (1.0); Receipt and review of email from C Dwyer re public records request (.1); Receipt and review of public records request (.2); Telephone conference with C Dwyer re public records request (.2); Receipt and review of emails (x2) from C Dwyer re public records request (.2); Receipt and review of emails (x2) from E Jones re public records request (.2); Receipt and review of email from C Dwyer re drone coverage (.1); Telephone conference with C Dwyer re drone coverage (.2); Telephone conference with B Ballard re drone contract (.3); Receipt and review of email from M Kelly re colleges providing drone courses (.3); Receipt and review of email from E Jones re public records request (.1); Email to E Jones re public records request (.1); Conference with R Pople for Board of Trustees meeting (1.8); Receipt and review of email from C Dwyer re public records request (.1); Email from C Dwyer re public records request (.1); Receipt	5.00 hrs.

and review of email to N Clark re faculty member (.1)

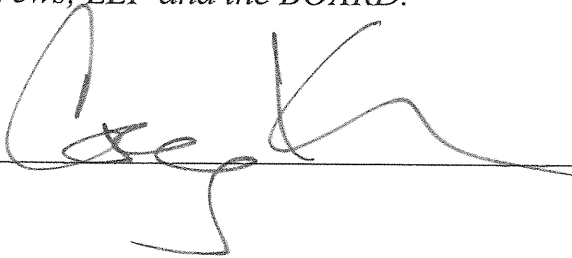
10/21/2016	JCK	<p>Receipt and review of email from B Ballard re proposed draft contract (.2); Receipt and review of emails (x2) from C Dwyer re public records request (.2); Receipt and review of email from B Jones re proposed contract (.1); Email to B Jones re proposed contract (.1); Receipt and review of email from L Kling re President's evaluation (.1); Email to L Kling re President's evaluation (.1); Telephone conference with B Jones re corrupt email (.2); Telephone conference with A Moran re corrupt email (.4); Receipt and review of email from A Maxwell re proposed communication (.1); Receipt and review of proposed communication (.3); Review Fla Law ss 501.171, Fla Stat. (1.2); Email to A Maxwell re proposed communication (.2); Receipt and review of second revised proposed communication (.1); Receipt and review of email from C Grause re revised proposed communication (.1); Email to C Grause re revised proposed communication (.1); Receipt and review of email from A Moran re corrupt email (.1); Receipt and review of email from B Ingerman re corrupt email (.1); Receipt and review of email from A Bradbury re Magic Sponsorship Agreement (.1); Receipt and review of Magic Sponsorship Agreement (.9); Email to A Bradbury re Magic Sponsorship Agreement (.1); Receipt and review of email from A Bradbury re Magic Sponsorship Agreement (.1)</p>	5.20 hrs.
10/21/2016	MK	<p>Review phishing scam notice to see if it complies with Florida and Federal Law requirements (.5); Review and analysis of case law under Florida and Federal Law re phishing emails and notice requirements (.9)</p>	1.40 hrs.
10/24/2016	JCK	<p>Receipt and review of email from A Matthews re workplace animals (.2); Attend President's</p>	6.60 hrs.

evaluation (.5); Attend Board Meeting (3.3); Conference with A Matthews re employee performance issue (.4); Receipt and review of email from A Bradbury re DOT Agreement (.1); Receipt and review of University of Miami DOT Grant Agreement (.4); Email to A Bradbury re University of Miami DOT Grant Agreement (.1); Receipt and review of email from C Dwyer re Green Guides issue (.1); Review Level 2 screening requirements (.8); Email to C Dwyer re Green Guides issue (.2); Receipt and review of emails (x2) from C Dwyer re Green Guides issue (.1); Email to C Dwyer re Green Guides (.2)

10/24/2016	MK	Review and analysis of case law re emotional support animal and the ADA (1.1); Review and analysis of TCC policies re non ADA approved animals (.5)	1.60 hrs.
10/25/2016	JCK	Receipt and review of email from K Moore re Use of Space Policy (.1); Review Use of Space policy (.5); Email to K Moore re Use of Space Policy (.3); Review emails (x3) from C Dwyer re Green Guides (.3); Email to C Dwyer re Green Guides (.4); Receipt and review of email from K Moore re Use of Space Policy (.1); Receipt and review of email from L Kling re Faculty Dismissal hearing (.1); Telephone conference with B Ballard and C Dwyer re legal issue (.4); Receipt and review of email from A Matthews re employee discipline (.1); Receipt and review of proposed employee discipline letter (.4); Email to A Matthews re employee discipline (.1)	2.80 hrs.
10/26/2016	JCK	Receipt and review of email form R Repisurdo re hearing configuration (.1); Email to R Repisurdo re hearing configuration (.1); Receipt and review of email from A Moran re crimnal case (.1); Receipt and review of documents from State Attorney Office (.3); Receipt and review of Summary of Offense (.3); Email to A Moran re criminal case (.1);	1.80 hrs.

		Telephone conference with B Ballard re WEI (.5); Receipt and review of email from A Moran re criminal case (.1); Email to A Moran re criminal case (.2)	
10/27/2016	JCK	Receipt and review of email from T Harman re faculty dismissal hearing (.1); Receipt and review of email from S Mathews' office re additional exhibits for hearing of faculty dismissal (.4); Email to N Clark re additional exhibits (.6); Receipt and review of email from N Clark re additional exhibits (.1); Email to parties re additional exhibits (.1); Email to N Clark re additional exhibits (.1); Receipt and review of emails (x3) from A Moran re faculty dismissal hearing (.3); Emails (x2) to A Moran re faculty dismissal hearing (.2); Telephone conference with B Ballard re legal issues (.4)	2.30 hrs.
10/27/2016	JS	Telephone conversation with B Ballard re legal issues and preparation of memorandum to Craig Knox (1.3)	1.30 hrs.
10/27/2016	JCK	Portion of Monthly Fee	\$13,024.00
10/27/2016	MK	Portion of Monthly Fee	\$3,031.00
10/27/2016	JS	Portion of Monthly Fee	\$195.00
		Fees for this matter	\$16,250.00
<u>BILLING SUMMARY</u>			
	Knox, J. Craig	Partner	86.80 hrs \$13,024.00
	Kelly, Michael	Attorney	20.2 hrs \$3,031.00
	Suplee, Judy	Paralegal	1.30 hrs <u>\$195.00</u>
	Fees		108.30 hrs \$16,250.00
	Disbursements		<u>\$0.00</u>
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 black ink, appearing to be 'C. K.', written over a horizontal line.

, Firm Contract Administrator