

AGENDA REQUEST FORM
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Meeting Date 06/24/14	Open Agenda <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Special Order Request <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Agenda Item Number HH-1
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TITLE:
 Fifth Amendment to Employment Agreements for Deputy General Counsels Marylin Batista-McNamara and Robert Paul Vignola; and Assistant General Counsels Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura.


REQUESTED ACTION:
 Approve the Fifth Amendment to Employment Agreements for Deputy General Counsels Marylin Batista-McNamara and Robert Paul Vignola; and Assistant General Counsels Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura.

SUMMARY EXPLANATION AND BACKGROUND:
 Please see the attached Summary Explanation and Background.

SCHOOL BOARD GOALS:
 • Goal 1: High Quality Instruction.
 • Goal 2: Continuous Improvement.
 • Goal 3: Effective Communication.

FINANCIAL IMPACT:
 The overall salary adjustment of 2.5% will generate an increased payroll cost of approximately \$9,230, including fringe benefits for 2013-2014.


EXHIBITS: (List)
 1. Fifth Amendment to Employment Agreement of Marylin Batista-McNamara
 2. Fifth Amendment to Employment Agreement of Robert Paul Vignola
 3. Fifth Amendment to Employment Agreement of Barbara J. Myrick
 4. Fifth Amendment to Employment Agreement of Thomas C. Cooney
 5. Fifth Amendment to Employment Agreement of Ana I. Segura
 6. Agenda Item GG-6 (06/09/14 Approved Agenda Item)

APPROVED <small>(For Official School Board Records' Office Only)</small>	SOURCE OF ADDITIONAL INFORMATION: J. Paul Carland, II, Esq.  754-321-2050
	Name _____ Phone _____

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
J. Paul Carland, II, General Counsel
Office of the General Counsel

JUN 24 2014

Approved in Open Board Meeting on: _____

By:  _____ School Board Chair

HH-1 Fifth Amendment to Employment Agreements for Deputy General Counsels Marilyn Batista-McNamara and Robert Paul Vignola; and Assistant General Counsels Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura.
06/24/14 RSBM

SUMMARY EXPLANATION AND BACKGROUND

The current agreements with the two Deputy General Counsels and the three Assistant General Counsels expire on June 30, 2014. The General Counsel recommends the renewal of these agreements and met with the Legal Services Committee on June 10, 2014 to discuss same. At the meeting, the General Counsel proposed a renewal of the Agreements for the period of July 1, 2014 through June 30, 2015. The consensus of the Committee was to bring forward the agreements as attached.

The initial Employment Agreement for Douglas G. Griffin, Assistant General Counsel, was previously approved by The School Board for the period of January 27, 2014 through June 30, 2015 in order to put the employment term on the same cycle as the fiscal year. Accordingly, his contract is not up for renewal this year.

The contract renewals for the Deputy and Assistants include a provision, which provides for a salary increase as calculated and provided to other 12-month administrative employees of the School Board on June 9, 2014, via Agenda Item GG-6. There are no other changes to the original terms of the agreements with the Deputies and Assistants.

End of Document

**FIFTH AMENDMENT TO
EMPLOYMENT AGREEMENT**

THIS FIFTH AMENDMENT TO EMPLOYMENT AGREEMENT is made and entered into as of this 24th day of June 2014, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

MARYLIN BATISTA-McNAMARA

(hereinafter referred to as "BATISTA-McNAMARA" or
"DEPUTY GENERAL COUNSEL")
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

WITNESSETH:

WHEREAS, SBBC and BATISTA-McNAMARA entered into an Employment Agreement, dated on or about October 7, 2008 (hereinafter "Employment Agreement"); and

WHEREAS, SBBC subsequently amended the Employment Agreement on September 1, 2009, September 21, 2010, October 18, 2011, and May 21, 2013; and

WHEREAS, the parties mutually desire to extend the term of employment for an additional year as set forth herein.

NOW THEREFORE, in consideration of the premises and mutual agreements herein provided, SBBC and BATISTA-McNAMARA hereby agree as follows:

1. **RECITALS.**

The foregoing recitals are true and correct and incorporated herein by reference.

2. **EMPLOYMENT AND TERM.**

The following should be added to paragraph 2 of the Employment Agreement:

SBBC hereby employs BATISTA-McNAMARA as DEPUTY GENERAL COUNSEL, and BATISTA-McNAMARA hereby accepts and agrees to such employment, for an additional year, commencing July 1, 2014 and ending June 30, 2015.

3. **COMPENSATION.**

The following should be added to paragraph 4(A):

The salary increase as provided to other 12-month administrative employees through Agenda Item GG-6 on June 9, 2014 shall be applicable to the DEPUTY GENERAL COUNSEL's salary, as set by prior amendments, and shall be effective January 1, 2014.

4. **OTHER PROVISIONS IN EFFECT.**

Except as expressly provided herein, all other portions of the Employment Agreement as amended remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Fort Lauderdale, Broward County, Florida, this ____ day of _____, 2014.


[Remainder of page intentionally blank – signatures on following page.]

For SBBC

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
PATRICIA GOOD, Chair

ATTEST:


ROBERT W. RUNCIE, Superintendent of
Schools

APPROVED AS TO FORM AND LEGAL
CONTENT

By  01/17/14
OFFICE OF THE GENERAL COUNSEL

For DEPUTY GENERAL COUNSEL

Witnesses:

[Signature]

By: Marylin Batista-McNamara
MARYLIN BATISTA-McNAMARA

Joanne C. Fritz
STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 17 day of June,
2014, by MARYLIN BATISTA-McNAMARA. She took an oath and is personally known to me
or has produced n/a as identification.

My Commission Expires:

(SEAL)



JOANNE C. FRITZ
MY COMMISSION # EE 155974
EXPIRES: April 28, 2016
Bonded Thru Budget Notary Services

Joanne C. Fritz
Signature - Notary Public
Joanne C. Fritz
Notary's Printed Name

Notary's Commission Number

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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

ROBERT PAUL VIGNOLA

(hereinafter referred to as "VIGNOLA" or
"DEPUTY GENERAL COUNSEL")
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

WITNESSETH:

WHEREAS, SBBC and VIGNOLA entered into an Employment Agreement, dated on or about October 7, 2008 (hereinafter "Employment Agreement"); and

WHEREAS, SBBC subsequently amended the Employment Agreement on September 1, 2009, September 21, 2010, October 18, 2011, and May 21, 2013; and

WHEREAS, the parties mutually desire to extend the term of employment for an additional year for as set forth herein.

NOW THEREFORE, in consideration of the premises and mutual agreements herein provided, SBBC and VIGNOLA hereby agree as follows:

1. **RECITALS.**

The foregoing recitals are true and correct and incorporated herein by reference.

2. **EMPLOYMENT AND TERM.**

The following should be added to paragraph 2 of the Employment Agreement:

SBBC hereby employs VIGNOLA as DEPUTY GENERAL COUNSEL, and VIGNOLA hereby accepts and agrees to such employment, for an additional year, commencing July 1, 2014 and ending June 30, 2015.

3. **COMPENSATION.**

The following should be added to paragraph 4(A):

The salary increase as provided to other 12-month administrative employees through Agenda Item GG-6 on June 9, 2014 shall be applicable to the DEPUTY GENERAL COUNSEL's salary, as set by prior amendments, and shall be effective January 1, 2014.

4. **OTHER PROVISIONS IN EFFECT.**

Except as expressly provided herein, all other portions of the Employment Agreement as amended remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Fort Lauderdale, Broward County, Florida, this ____ day of _____, 2014.

[Remainder of page intentionally blank – signatures on following page.]

For SBBC

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST



ROBERT W. RUNCIE, Superintendent of
Schools

By


PATRICIA GOOD, Chair

APPROVED AS TO FORM AND LEGAL
CONTENT

By


OFFICE OF THE GENERAL COUNSEL

For DEPUTY GENERAL COUNSEL

Witnesses:

[Handwritten Signature]

Joanne C. Fritz
STATE OF Florida

COUNTY OF Broward

By: [Handwritten Signature] 06/16/14
ROBERT PAUL VIGNOLA

The foregoing instrument was acknowledged before me this 16 day of June,
2014, by ROBERT PAUL VIGNOLA. He took an oath and is personally known to me or has
produced N/A as identification.

My Commission Expires:

(SEAL)

Joanne C. Fritz
Signature - Notary Public

Joanne C. Fritz
Notary's Printed Name

Notary's Commission Number



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EMPLOYMENT AGREEMENT**

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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

BARBARA J. MYRICK

(hereinafter referred to as "MYRICK" or
"ASSISTANT GENERAL COUNSEL")
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

WITNESSETH:

WHEREAS, SBBC and MYRICK entered into an Employment Agreement, dated on or about October 7, 2008 (hereinafter "Employment Agreement"); and

WHEREAS, SBBC subsequently amended the Employment Agreement on September 1, 2009, September 21, 2010, October 18, 2011, May 21, 2013; and

WHEREAS, the parties mutually desire to extend the term of employment for an additional year as set forth herein.

NOW THEREFORE, in consideration of the premises and mutual agreements herein provided, SBBC and MYRICK hereby agree as follows:

1. **RECITALS.**

The foregoing recitals are true and correct and incorporated herein by reference.

2. **EMPLOYMENT AND TERM.**

The following should be added to paragraph 2 of the Employment Agreement:

SBBC hereby employs MYRICK as ASSISTANT GENERAL COUNSEL, and MYRICK hereby accepts and agrees to such employment, for an additional year, commencing July 1, 2014 and ending June 30, 2015.

3. **COMPENSATION.**

The following should be added to paragraph 4(A):

The salary increase as provided to other 12-month administrative employees through Agenda Item GG-6 on June 9, 2014 shall be applicable to the ASSISTANT GENERAL COUNSEL's salary, as set by prior amendments, and shall be effective January 1, 2014.

4. **OTHER PROVISIONS IN EFFECT.**

Except as expressly provided herein, all other portions of the Employment Agreement as amended remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Fort Lauderdale, Broward County, Florida, this ____ day of _____, 2014.

[Remainder of page intentionally blank – signatures on following page.]

For SBBC

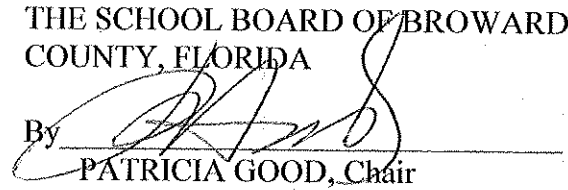
THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST



ROBERT W. RUNCIE, Superintendent of
Schools

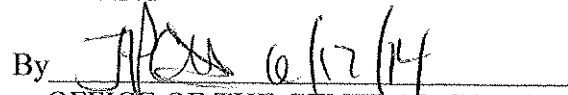
By



PATRICIA GOOD, Chair

APPROVED AS TO FORM AND LEGAL
CONTENT

By



OFFICE OF THE GENERAL COUNSEL

For ASSISTANT GENERAL COUNSEL

Witnesses:

[Signature]
Joanne C. Fritz
STATE OF Florida)

COUNTY OF Broward)

By: [Signature]
BARBARA J. MYRICK

The foregoing instrument was acknowledged before me this 17 day of June, 2014, by BARBARA J. MYRICK. She took an oath and is personally known to me or has produced N/A as identification.

My Commission Expires:

(SEAL)



JOANNE C. FRITZ
MY COMMISSION # EE 155974
EXPIRES: April 28, 2016
Bonded Thru Budget Notary Services

[Signature]
Signature - Notary Public

Joanne C Fritz
Notary's Printed Name

Notary's Commission Number

**FIFTH AMENDMENT TO
EMPLOYMENT AGREEMENT**

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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

THOMAS C. COONEY

(hereinafter referred to as "COONEY" or
"ASSISTANT GENERAL COUNSEL")
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

WITNESSETH:

WHEREAS, SBBC and COONEY entered into an Employment Agreement, dated on or about June 25, 2008 (hereinafter "Employment Agreement"); and

WHEREAS, SBBC subsequently amended the Employment Agreement on September 1, 2009, September 21, 2010, October 18, 2011, and May 21, 2013; and

WHEREAS, the parties mutually desire to extend the term of employment for an additional year as set forth herein.

NOW THEREFORE, in consideration of the premises and mutual agreements herein provided, SBBC and COONEY hereby agree as follows:

1. **RECITALS.**

The foregoing recitals are true and correct and incorporated herein by reference.

2. **EMPLOYMENT AND TERM.**

The following should be added to paragraph 2 of the Employment Agreement:

SBBC hereby employs COONEY as ASSISTANT GENERAL COUNSEL, and COONEY hereby accepts and agrees to such employment, for an additional year, commencing July 1, 2014 and ending June 30, 2015.

3. **COMPENSATION.**

The following should be added to paragraph 4(A):

The salary increase as provided to other 12-month administrative employees through Agenda Item GG-6 on June 9, 2014 shall be applicable to the ASSISTANT GENERAL COUNSEL's salary, as set by prior amendments, and shall be effective January 1, 2014.

4. **OTHER PROVISIONS IN EFFECT.**

Except as expressly provided herein, all other portions of the Employment Agreement as amended remain in full force and effect.

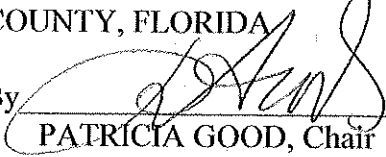
IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Fort Lauderdale, Broward County, Florida, this ____ day of _____, 2014.

[Remainder of page intentionally blank – signatures on following page.]

For SBBC

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By


PATRICIA GOOD, Chair

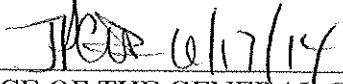
ATTEST



ROBERT W. RUNCIE, Superintendent of
Schools

APPROVED AS TO FORM AND LEGAL
CONTENT

By


OFFICE OF THE GENERAL COUNSEL

For ASSISTANT GENERAL COUNSEL

Witnesses:

Rob Wise

Joanne C. Fritz

STATE OF Florida

COUNTY OF Broward

By: Thomas C. Cooney
THOMAS C. COONEY

The foregoing instrument was acknowledged before me this 16 day of June, 2014, by THOMAS C. COONEY. He took an oath and is personally known to me or has produced n/a as identification.

My Commission Expires:

(SEAL)



JOANNE C. FRITZ
MY COMMISSION # EE 155974
EXPIRES: April 28, 2016
Bonded Thru Budget Notary Services

Joanne C. Fritz
Signature - Notary Public

Joanne C. Fritz
Notary's Printed Name

Notary's Commission Number

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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

(hereinafter referred to as "SBBC"),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

ANA I. SEGURA

(hereinafter referred to as "SEGURA" or
"ASSISTANT GENERAL COUNSEL")
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

WITNESSETH:

WHEREAS, SBBC and SEGURA entered into an Employment Agreement, dated on or about November 12, 2008 (hereinafter "Employment Agreement"); and

WHEREAS, SBBC subsequently amended the Employment Agreement on September 1, 2009, September 21, 2010, October 18, 2011, and May 21, 2013; and

WHEREAS, the parties mutually desire to extend the term of employment for an additional year as set forth herein.

NOW THEREFORE, in consideration of the premises and mutual agreements herein provided, SBBC and SEGURA hereby agree as follows:

1. **RECITALS.**

The foregoing recitals are true and correct and incorporated herein by reference.

2. **EMPLOYMENT AND TERM.**

The following should be added to paragraph 2 of the Employment Agreement:

SBBC hereby employs SEGURA as ASSISTANT GENERAL COUNSEL, and SEGURA hereby accepts and agrees to such employment, for an additional year, commencing July 1, 2014 and ending June 30, 2015.

3. **COMPENSATION.**

The following should be added to paragraph 4(A):

The salary increase as provided to other 12-month administrative employees through Agenda Item GG-6 on June 9, 2014 shall be applicable to the ASSISTANT GENERAL COUNSEL's salary, as set by prior amendments, and shall be effective January 1, 2014.

4. **OTHER PROVISIONS IN EFFECT.**

Except as expressly provided herein, all other portions of the Employment Agreement as amended remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto signed their names and affixed their seals at Fort Lauderdale, Broward County, Florida, this ____ day of _____, 2014.

[Remainder of page intentionally blank – signatures on following page.]

For SBBC

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By


PATRICIA GOOD, Chair

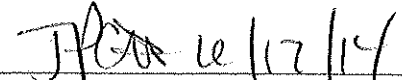
ATTEST:



ROBERT W. RUNCIE, Superintendent of
Schools

APPROVED AS TO FORM AND LEGAL
CONTENT

By


OFFICE OF THE GENERAL COUNSEL

For ASSISTANT GENERAL COUNSEL

Witnesses:

Robert W. [Signature]

Joanne C. Fritz

STATE OF Florida)

COUNTY OF Broward)

By: [Signature]
ANA I. SEGURA

The foregoing instrument was acknowledged before me this 16 day of June,
2014, by ANA I. SEGURA. She took an oath and is personally known to me or has produced ___
n/a as identification.

My Commission Expires:

(SEAL)



JOANNE C. FRITZ
MY COMMISSION # EE 155974
EXPIRES: April 28, 2016
Bonded Thru Budget Notary Services

[Signature]
Signature - Notary Public

Joanne C. Fritz
Notary's Printed Name

Notary's Commission Number

**Educational Support Management Association of Broward, INC.
(ESMAB)
Salary Band Schedule
2013-2014**

SALARY BAND		MINIMUM -----	MIDPOINT -----	MAXIMUM -----
S	A	\$110,901	\$146,305	\$181,709
	D	\$454.51	\$599.61	\$744.71
	H	\$60.60175	\$79.94802	\$99.29430
E	A	\$96,977	\$127,396	\$157,815
	D	\$397.45	\$522.12	\$646.78
	H	\$52.99287	\$69.61541	\$86.23795
D	A	\$78,305	\$108,151	\$137,997
	D	\$320.92	\$443.24	\$565.56
	H	\$42.78952	\$59.09885	\$75.40819
C	A	\$68,829	\$90,248	\$111,667
	D	\$282.08	\$369.87	\$457.65
	H	\$37.61129	\$49.31568	\$61.02008
B	A	\$59,773	\$78,860	\$97,947
	D	\$244.97	\$323.20	\$401.42
	H	\$32.66301	\$43.09295	\$53.52289
A2	A	\$51,904	\$68,478	\$85,052
	D	\$212.72	\$280.65	\$348.57
	H	\$28.36291	\$37.41976	\$46.47660
A1	A	\$42,006	\$57,935	\$73,865
	D	\$172.16	\$237.44	\$302.72
	H	\$22.95413	\$31.65865	\$40.36318

Employee salaries subject to this schedule shall increase 2.5% effective January 1, 2014. Employees employed on January 1, 2014 shall be eligible to receive this increase.