



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
www.sbpq.net

**#26**

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, SEPTEMBER 15, 2015 AT THREE O'CLOCK P.M.

On motion of Mr. Montelongo, seconded by Mr. McInnis, it was moved to **adopt** the following ordinance:

## ORDINANCE SBPC #1685-09-15

### Summary No. 3281

Introduced by: Councilman Cavnac on 9/1/15  
Public hearing held on 9/15/15

AN ORDINANCE ELECTING CONVERSION OF UNUSED LEAVE TO CREDITABLE SERVICE FOR THE FIREFIGHTERS' RETIREMENT SYSTEM.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, R.S. 11:2254.1 allows for the conversion of unused earned leave to service credit; and

**WHEREAS**, unused earned leave means annual leave, compensatory leave, and sick leave (but not including sick leave as provided for in R.S. 33:1995; and

**WHEREAS**, an employer's election to allow conversion of unused earned leave is irrevocable; and

**WHEREAS**, the employee has sole discretion to determine the amount of unused earned leave that is to be converted to service credit if his employer has first made the election to allow such conversions; and

**WHEREAS**, at the time the employee applies for conversion of unused earned leave the employer shall submit to the board of trustees of the Firefighters' Retirement System ("the retirement system") a report of unused earned leave computed in hours only; and

**WHEREAS**, that the Governing body of St. Bernard Parish, does hereby elect to allow its employees who are members of the retirement system to convert unused earned leave to service credit in accordance with R.S. 11:2254.1; and

**WHEREAS**, that the Governing Body has elected that the conversion of unused earned leave for each and every eligible employee shall occur at the time shown below and the employee's election is irrevocable; and



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**George Cavnagac**  
*Councilman  
at Large*

**WHEREAS**, the Conversion of unused earned leave shall occur at the time of entry into DROP; and

**Ray Lauga, Jr.**  
*Councilman  
District A*

**WHEREAS**, that the Governing Body hereby agrees to pay to the retirement system an amount which on an actuarial basis totally offsets the increase in accrued liability of the retirement system resulting from the conversion of unused earned leave and the Governing Body shall pay such amount to the retirement system within thirty days after receiving an invoice from the retirement system; and

**Nathan Gorbaty**  
*Councilman  
District B*

**WHEREAS**, that the failure of the Governing Body to pay the amount shown on the invoice from the retirement system, within thirty days of receipt thereof, shall result in no conversion being allowed by the party or parties identified in the invoice; and

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**WHEREAS** that copies of this Ordinance be forwarded to Firefighters' Retirement System and the Ordinance shall not become effective until submitted to and approved by Firefighters' Retirement System.

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**SECTION 1. Effective Date.** This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**Roxanne Adams**  
*Clerk of Council*

**SECTION 2. Severability.** If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.



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**George Cavnac**  
Councilman  
at Large

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**Nathan Gorbaty**  
Councilman  
District B

**NAYS:** None

**ABSENT:** Hunnicutt

**Richard "Richie" Lewis**  
Councilman  
District C

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of September, 2015.

**Casey W. Hunnicutt**  
Councilman  
District D

ROXANNE ADAMS  
CLERK OF COUNCIL

GEORGE CAVIGNAC  
COUNCIL CHAIRMAN

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 9/18/2015 10:45am  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

Parish President

David E. Peralta

Returned to Clerk of the Council

9/18/2015 1:01PM  
Date and Time

Received by