

IN THE CIRCUIT COURT OF THE FIFTH
JUDICIAL CIRCUIT IN AND FOR MARION
COUNTY, FLORIDA

CASE NO.: 2022-CA-000265AX

BOARD OF TRUSTEES,
CITY OF OCALA FIREFIGHTERS'
RETIREMENT PLAN,

Plaintiff,

v.

CITY OF OCALA, A FLORIDA
MUNICIPAL CORPORATION,

AND

PROFESSIONAL FIREFIGHTERS
OF OCALA, IAFF LOCAL 2135,
A LABOR ORGANIZATION,

FINAL JUDGMENT GRANTING DECLARATORY RELIEF

THIS CAUSE came before the Court upon the parties' Cross Motions for Summary Judgment in a case brought by Plaintiff, Board of Trustees ("Board") of the City of Ocala Firefighters Retirement Plan ("Plan"), seeking a declaratory judgment against Defendant, the City of Ocala ("City") and Defendant/Cross Plaintiff, the Professional Firefighters of Ocala, IAFF Local 2135 ("Local 2135"). On October 22, 2024, the Court GRANTED Local 2135's Motion for Final Summary Judgment ("Motion") and DENIED the City's Cross-Motion for Summary Judgment. Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. A final judgment is entered in favor of IAFF Local 2135 and against the City of Ocala.

2. Declaratory relief is entered in favor of IAFF Local 2135, consistent with this Court's Order granting summary judgment on October 22, 2024.

3. Ocala Component A firefighters are not subject to any caps on pensionable overtime under state law or the Ocala City Code.

4. Pursuant to Ocala Ordinance 2016-33, the 300-hour cap on pensionable overtime only applies to Component B firefighters, not Component A firefighters.

5. Component A firefighters are exempted from the 300-hour overtime cap by Section 175.351(4)(a), Fla. Stat., as the City of Ocala Firefighters' Retirement Plan is a "supplemental plan" and the City of Ocala is a "supplemental plan municipality" pursuant to Sections 175.032(24) and (25), Fla. Stat.

6. The specific exemption in Section 175.351(4)(a) applies to Ocala's Component A firefighters, not the generic 300-hour overtime cap in Sections 112.66(11) and 175.032(5), Fla.Stat.

7. The parties shall each bear their respective attorneys' fees and costs.

8. The City of Ocala takes nothing by this action, and Local 2135 shall go hence without day.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida, this 13th day of November 2024.


GARY L. SANDERS
CIRCUIT COURT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the Court's e-portal system, which will send an email copy to all counsel of record on this 13th day of November 2024.

_____/rg/_____
Judicial Assistant