



# MEMORANDUM

Council Agenda  
Item No. IX. BA  
12/3/2024

## The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2020-00069F styled: *Jeffrey Parker, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

### Background:

The Claimant, Jeffrey Parker is 52-years old and a 24-year employee of The City of Oklahoma City. At the time of the injury, he was assigned to the Utilities Department as a Collection & Distribution Technician. As of June 4, 2024, the Claimant is no longer employed with the City.

The Claimant sustained an undisputed accidental injury on October 16, 2018, to his right knee and left shoulder. The Claimant required surgery to his right knee on March 11, 2019 and December 20, 2022. The Claimant required surgery to his left shoulder on May 24, 2019, December 26, 2019, November 02, 2020, and March 29, 2022.

The Claimant was evaluated by Dr. Lance E. Rosson on behalf of his attorney and found to have the following permanent partial impairment: right knee 55%, left shoulder 45%. The Claimant was also evaluated by Dr. William Jones on behalf of the City and found to have the following permanent partial impairment: right knee 25%, left shoulder 18%. The negotiated Joint Petition Settlement calls for a lump sum of \$75,097.50 for the following permanent partial disability: right knee 40%, left shoulder 35%. The settlement includes a payment of \$4,902.50, for additional consideration for a full, final, and complete settlement, for a total award of \$80,000.

The settlement calls for \$16,000 to be deducted from the PPD award and paid in a lump sum to Claimant's attorney as a fair and reasonable fee. In addition, the City will pay Court costs \$140, a Special Occupational and Safety Fund tax representing .75% of the permanent partial disability award, including the additional payment amount, shall be paid in the sum of \$600 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, less the additional payment amount, shall be paid in the sum of \$1,501.95.

This item has been reviewed and approved by the City's contract attorney, Hornbeek, Vitali & Braun, law office located at 3711 North Classen Boulevard, Oklahoma City, Oklahoma 73118 and Claimant's attorney, Brandon Burton, law office located at 308 Northwest 13<sup>th</sup> Street, Oklahoma City, Oklahoma 73103.

Permanent Partial Disability Payment <sup>1</sup>	\$75,097.50
Additional Payment <sup>1</sup>	\$4,902.50
Special Occupational Health and Safety Fund Tax <sup>2</sup>	\$600.00
Workers' Compensation Administration Fund <sup>2</sup>	\$1,501.95
Workers' Compensation Court Costs <sup>2</sup>	\$140.00
District Court Costs <sup>3</sup>	\$161.00
City's Total Cost of Award	\$82,402.95

**Source of Funds:**

<sup>1</sup> DEBT SERVICE-RSTR> OCITY > REDEMPTION OF JUDGEMENTS> DS - JUDGEMENT PRI (1601-9804600-55040007)

<sup>2</sup> RISK/WORKERS COMPENSATION > OCMFA > RISK MANAGEMENT MFA> WORKER'S COMP CLAIMS (3042-2800750-52190061)

<sup>3</sup> GENERAL OPERATIONS-UASN > OCITY >MUN COUN EXEC LEADERSHIP >PROFESSIONAL SVC-LEGAL (1001-1700101-52040001)

**Review:**

Risk Management

**Recommendations:** Joint Resolution be adopted.