

## **JOINT RESOLUTION**

### **JOINT RESOLUTION OF THE CITY OF OKLAHOMA CITY AND THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY APPROVING SETTLEMENT OF THE WORKERS' COMPENSATION SUBROGATION CLAIM RELATED TO PAYMENT OF MEDICAL BILLS PAID PURSUANT TO STATE LAW UNDER WORKERS' COMPENSATION AGAINST ANY PROCEEDS RECOVERED ON BEHALF OF FLOYD TIGER, ARISING OUT OF INJURIES SUSTAINED IN AN AUTOMOBILE ACCIDENT ON FEBRUARY 15, 2024.**

**WHEREAS**, on or about February 15, 2024, Floyd Tiger, an employee with the City of Oklahoma City, received personal injuries due to an automobile collision. The injuries occurred when Torrie Curtis rear-ended Mr. Tiger at the intersection of SW 44<sup>th</sup> & Pennsylvania. The City of Oklahoma City and the OCMFA have currently paid \$131,866.76 in Workers' Compensation medical and associated expenses as a result of Floyd Tiger's injuries.; and

**WHEREAS**, the City of Oklahoma City has its own risk certificate for workers compensation coverage; and

**WHEREAS**, the City of Oklahoma City and the OCMFA have currently paid \$131,866.76 in Workers' Compensation medical and associated expenses as a result of Floyd Tiger's injuries; and

**WHEREAS**, the City of Oklahoma City and the OCMFA are entitled, pursuant to 85A O.S. § 43, to seek recovery of Workers' Compensation expenses paid on behalf of Floyd Tiger which resulted from this incident, and that are claims paid as the result of injuries caused by the negligent acts of third parties; and

**WHEREAS**, Floyd Tiger has entered into a settlement agreement with Torrie Curtis' insurance company in the amount of \$25,000, which represents Ms. Curtis' insurance policy limits, and Floyd Tiger has requested the City of Oklahoma City/OCMFA agree to a settlement of the subrogation for the entire amount of the liability policy - \$25,000, as payment in full for its Workers' Compensation subrogation lien; and

**WHEREAS**, the City of Oklahoma City and the Trustees of the Oklahoma City Municipal Facilities Authority have been fully informed of the facts and issues surrounding the subrogation claim for medical expenses incurred on behalf of Floyd Tiger, and his claim for Workers Compensation benefits arising from injuries caused by this incident during his employment will remain at issue; and

**WHEREAS**, COTPA and the OCMFA have processed and paid medical claims to date in the amount of \$131,866.76, which amount exceeds the settlement authority granted to the Municipal Counselor's Office in an earlier joint resolution of the City Council and OCMFA; and

**WHEREAS**, the City of Oklahoma City and Trustees of the Oklahoma City Municipal Facilities Authority, after considering all the relevant facts herein, believe it is in the best interest of the City of Oklahoma City/OCMFA to authorize the Municipal Counselor, or his designee, to settle the City's pending subrogation claim.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Oklahoma City and by the Chairman and Trustees of the Oklahoma City Municipal Facilities Authority that the settlement of the subrogation interest held by The City of Oklahoma City in the amount of \$25,000 from insurance proceeds recovered for medical expenses paid on behalf of Floyd Tiger resulting from the February 15, 2024 automobile collision is hereby approved, that the City of Oklahoma City and OCMFA reserve all rights under 85A O.S. § 43 for recoupment before the Workers' Compensation Commission, and that the Municipal Counselor, or his designee, is authorized to take any appropriate action to settle the pending subrogation claim.

**ADOPTED BY THE TRUSTEES AND APPROVED BY THE MAYOR OF THE CITY OF OKLAHOMA CITY** this 20TH day of MAY, 2025.

ATTEST:

Amy K Simpson  
City Clerk



David Holt  
Mayor

**ADOPTED BY THE TRUSTEES AND APPROVED BY THE CHAIRMAN OF THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY** this 20TH day of MAY, 2025.

ATTEST:

Amy K Simpson  
Secretary



David Holt  
Chairman

**REVIEWED** for form and legality.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

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Assistant Municipal Counselor