



# MEMORANDUM

Council Agenda  
Item No. IX. AX  
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 Compromise Settlement of the Court of Existing Claims, Claim No. CEC3-2013-01349Y styled: *Richard Dixon, 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 Compromise 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, Richard Dixon is 56 years old and a 31-year employee of The City of Oklahoma City. At the time of the injury, he was assigned to the Police Department as a Lieutenant and continues to be employed by the City.

The Claimant sustained an undisputed accidental injury on January 11, 2013 to his low back and left hip.

The Claimant was evaluated by Dr. Lonnie Litchfield on behalf of his attorney and found to have the following permanent partial impairment: low back 40%, left hip 29%. The Claimant was also evaluated by Dr. William D. Jones, on behalf of the City and found to have the following permanent partial impairment: low back 2%, left hip 2%. The negotiated Compromise Settlement calls for a lump sum of \$32,300 for the following permanent partial disability: low back 10%, left hip 10%.

The settlement calls for \$6,460 to be deducted from the PPD award and paid in a lump sum to the 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, shall be paid in the sum of \$242.25 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, shall be paid in the sum of \$646.

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, Kent Eldredge, law office located at 222 Northwest 13<sup>th</sup> Street, Oklahoma City, Oklahoma, 73103.

Permanent Partial Disability Payment <sup>1</sup>	\$32,300.00
Special Occupational Health and Safety Fund Tax <sup>2</sup>	\$242.25
Workers' Compensation Administration Fund <sup>2</sup>	\$646.00
Workers' Compensation Court Costs <sup>2</sup>	\$140.00
District Court Costs <sup>3</sup>	\$161.00
City's Total Cost of Award	\$33,489.25

**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.