

JOINT RESOLUTION

**JOINT RESOLUTION OF THE CITY OF OKLAHOMA CITY
AND THE OKLAHOMA CITY MUNICIPAL FACILITIES
AUTHORITY APPROVING SETTLEMENT OF THE
SUBROGATION CLAIM RELATED TO PAYMENT OF
MEDICAL BILLS PAID UNDER THE CITY'S SELF-FUNDED
HEALTHCARE PLAN AGAINST THE PROCEEDS
RECOVERED ON BEHALF OF KASEY GERBER, ARISING
OUT OF INJURIES SUSTAINED IN AN AUTOMOBILE-
PEDESTRIAN ACCIDENT ON DECEMBER 19, 2021.**

WHEREAS, The City of Oklahoma City offers a self-funded health care plan as an employee benefit for its active and retired employees; and

WHEREAS, the self-funded health care plan is managed and operated through the Oklahoma City Municipal Facilities Authority; and

WHEREAS, Kasey Gerber sustained injuries in an automobile-pedestrian accident that occurred on December 19, 2021, resulting in medical claims that were paid under the City's self-funded health care plan; and

WHEREAS, The City of Oklahoma City, through express provisions of the Plan and by operation of law, has certain subrogation interest in healthcare claims paid on behalf of Kasey Gerber, when those claims are paid as the result of injuries caused by the negligent acts of third parties; and

WHEREAS, the City Council and Trustees of the Oklahoma City Municipal Facilities Authority have been fully informed of the facts and issues surrounding the subrogation claim arising from the injuries sustained by Kasey Gerber, an eligible and covered dependent of an employee; and

WHEREAS, Blue Cross/Blue Shield, on behalf of OCMFA, has processed and paid medical claims to date in the amount of \$90,086.68, which amount exceeds the settlement authority granted to the Municipal Counselor's Office in an earlier resolution of the City Council; and

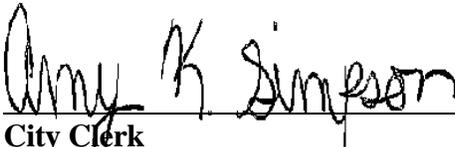
WHEREAS, Kasey Gerber, by and through legal counsel, James Belote, Esq., has requested that The City of Oklahoma City and the Oklahoma City Municipal Facilities Authority accept \$50,000, as settlement of the pending subrogation claim; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of 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 \$50,000 from insurance proceeds recovered on behalf of Kasey Gerber resulting from the December 19, 2021 automobile-pedestrian accident is hereby approved and that the Municipal Counselor, or his designee, is authorized to take any appropriate action to settle the pending subrogation claim.

ADOPTED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF OKLAHOMA CITY this 12TH day of MARCH, 2024.

ATTEST:

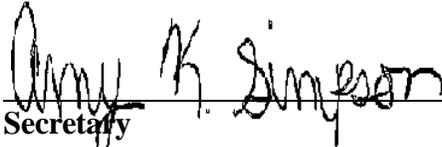

City Clerk





ADOPTED BY THE TRUSTEES AND APPROVED BY THE CHAIRMAN OF THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY this 12TH day of MARCH, 2024.

ATTEST:


Secretary





REVIEWED for form and legality.



Assistant Municipal Counselor