



# MEMORANDUM

Council Agenda  
Item No. IX. AV  
9/26/2023

## 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 Risk Manager and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. 2023-0006165, styled: *Jason Patrick, 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, Jason Patrick is a 45-year-old male and is a 16-year employee of The City of Oklahoma City. At the time of the injury he was assigned to the Fire Department as a Major and continues to be employed by the City.

Claimant sustained an undisputed accidental injury on February 20, 2023 to his neck. The claimant required surgery to his neck on March 21, 2023.

Claimant was evaluated by Dr. Robert Wienecke, MD. on behalf of the City and found to have the following permanent partial impairment: neck 6%. The negotiated Joint Petition Settlement calls for a lump sum of \$15,552 for the following permanent partial disability: neck 12%.

The settlement further calls for a 3% assessment of the PPD award in the sum of \$466.56 be deducted and paid on behalf of the claimant for the Multiple Injury Trust Fund Tax, making the lump sum award \$15,085.44. 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 \$116.64 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, shall be paid in the sum of \$311.04.

This item has been reviewed and approved by the City's contract attorney, Hornbeek, Braun, Vitali, law office located at 3711 North Classen Boulevard, Oklahoma City, Oklahoma 73118.

Permanent Partial Disability Payment <sup>1</sup>	\$15,552.00
Special Occupational Health and Safety Fund Tax <sup>2</sup>	\$ 116.64
Workers' Compensation Administration Fund <sup>2</sup>	\$ 311.04
Workers' Compensation Court Costs <sup>2</sup>	\$ 140.00
District Court Costs <sup>3</sup>	\$ 161.00
Total Cost of Award	\$16,280.68

**Source of Funds:**

Source of Funds <sup>1</sup>Debt Service-Debt Service-Redemption of Judgments-Debt Service-Judgment (021-0250-9804600-55040007)

<sup>2</sup>OCMFA Services-Risk/Workers' Compensation-Risk Management MFA-Workers' Comp Claims (682-1451-2800750-52190061)

<sup>3</sup>General Fund-General Operations-Municipal Counselor-Professional Services Legal (001-0001-0700101-52040001)

**Review:**

Risk Management

**Recommendation:** Joint Resolution be adopted.