



MEMORANDUM

Council Agenda
Item No. IX. BP
4/9/2024

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. CM3-2018- 07829Q styled: *Jonathon Jones, 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, Jonathon Jones is 35 years old and a 13-year employee of The City of Oklahoma City. At the time of the injury he was assigned to the Police Department as an Officer and continues to be employed by the City.

Claimant sustained an undisputed accidental injury on November 9, 2016 to his head, jaw, neck, and left hand.

The negotiated Joint Petition Settlement calls for a PPD award of \$19,089.30 for the following permanent partial disability: head 7%, jaw 5%, neck 3%, left hand 3%. The settlement includes an additional payment of \$910.70 for additional consideration, for a total award of \$20,000.

The settlement further calls for \$4,000 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, including the additional payment, shall be paid in the sum of \$150 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, less the additional payment, shall be paid in the sum of \$381.79.

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, Eliot D. Yaffe, law office located at 12231 South May, Oklahoma City, Oklahoma 73189.

Permanent Partial Disability Payment ¹	\$19,089.30
Additional Payment ¹	\$910.70
Special Occupational Health and Safety Fund Tax ²	\$150.00
Workers' Compensation Administration Fund ²	\$381.79
Workers' Compensation Court Costs ²	\$140.00
District Court Costs ³	\$161.00
City's Total Cost of Award	\$20,832.79

Source of Funds:

¹Debt Service-Debt Service-Redemption of Judgments-Debt Service-Judgment (021-0250-9804600-55040007)

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

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

Review:

Risk Management

Recommendation: Joint Resolution be adopted.