

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 STEWART RALLS, ARISING OUT OF INJURIES SUSTAINED IN AN AUTOMOBILE ACCIDENT ON JANUARY 4, 2022.

WHEREAS, on or about January 4, 2022, a Central Oklahoma Transportation & Parking Authority employee, Stewart Ralls, received personal injuries due to an automobile collision which occurred when Michael Cooper did not stop for a red light and struck Stewart Ralls while he was driving an EMBARK bus. Mr. Ralls sustained severe injuries due to this incident. The City of Oklahoma City and the OCMFA have currently paid \$67,663.60 in Workers' Compensation medical and associated expenses as a result of Stewart Ralls' injuries.; and

WHEREAS, the City of Oklahoma City and OCMFA are entitled, pursuant to 85A O.S. § 43, to seek recovery of Workers' Compensation expenses paid on behalf of Stewart Ralls 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, Counsel for Stewart Ralls, Greg Wilson, has entered into a settlement agreement with Michael Cooper's insurance company in the amount of \$50,000, which represents Mr. Cooper's insurance policy limits. Stewart Ralls has requested the City/OCMFA agree to a settlement of the subrogation claim in the amount of \$21,883.66, as payment in full for its Workers' Compensation subrogation lien. The other monies available will be used for attorney's fees and compensation for Mr. Ralls' additional damages; and

WHEREAS, the City Council of 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 Stewart Ralls, 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 \$67,663.60, 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 Council of 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

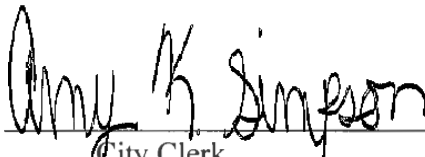
best interest of the OCMFA/COTPA to authorize the Municipal Counselor, or his designee, to settle the City's pending subrogation claim.

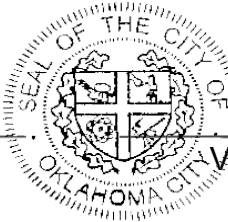
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Oklahoma City and by the Chairman and Trustees of the Oklahoma City Municipal Facilities Authority that the settlement of the subrogation interest held by The City of Oklahoma City in the amount of \$21,883.66 from insurance proceeds recovered for medical expenses paid on behalf of Stewart Ralls resulting from the January 4, 2022 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 COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF OKLAHOMA CITY this 2ND day of JULY, 2024.

ATTEST:

THE CITY OF OKLAHOMA CITY


City Clerk

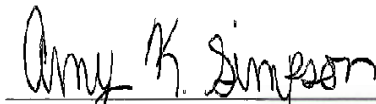



VICE Mayor

ADOPTED BY THE TRUSTEES AND APPROVED BY THE CHAIRMAN OF THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY this 2ND day of JULY, 2024.

ATTEST:

OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY


Secretary




VICE Chairman

REVIEWED for form and legality


Assistant Municipal Counselor