

JOINT RESOLUTION

JOINT RESOLUTION OF THE CITY OF OKLAHOMA CITY AND THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY AUTHORIZING THE RISK MANAGER AND THE TRUST'S LEGAL COUNSEL NOT TO APPEAL THE ORDER OF THE WORKERS' COMPENSATION COMMISSION CLAIM NO. CM3-2021-06653A, STYLED: NICK FILIPPO, CLAIMANT VS. THE CITY OF OKLAHOMA CITY, RESPONDENT, AN OWN RISK CARRIER, AND AUTHORIZING PAYMENT TO THE CLAIMANT OF PERMANENT PARTIAL DISABILITY BENEFITS, ATTORNEY FEES, LESS AN ASSESSMENT FOR THE MULTIPLE INJURY TRUST FUND: AUTHORIZING PAYMENT OF COSTS AND FEES FOR THE RESPONDENT.

WHEREAS, Nick Filippo caused to be filed an application for permanent partial disability benefits under the Workers' Compensation Act as a result of undisputed accidental injuries arising out of and in the course of his employment, with a date of injury on June 13, 2021, with The City of Oklahoma City; and

WHEREAS, for the reasons set forth in the attached memorandum which is incorporated herein by reference and made a part hereof, it is considered to be in the best interest of The City of Oklahoma City and the Oklahoma City Municipal Facilities Authority to not appeal and comply with the Order.

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the Mayor and Council of The City of Oklahoma City and the Chairman and the Board of Trustees of the Oklahoma City Municipal Facilities Authority that the Risk Manager and the Trust's legal counsel be authorized to comply with the Order of the Workers' Compensation Commission: Claim No. CM3-2021-06653A, styled: Nick Filippo, Claimant vs. The City of Oklahoma City, Respondent, an Own Risk Carrier. That in compliance with the Order, Claimant is to be paid a total amount of \$25,200, plus any accrued interest. The settlement further calls for a 3% assessment of the PPD award in the sum of \$756 be deducted and paid on behalf of the claimant for the Multiple Injury Trust Fund Tax, making the lump sum award \$24,444. Pursuant to Title 85 O.S. § 368, a filing fee of \$140 is taxed

as a cost in this matter and shall be paid by Respondent, The City of Oklahoma City, to the Commission Administrator within 20 days from the date of the settlement. The settlement further calls for \$5,040 to be deducted from the PPD award and paid in a lump sum to Claimant's attorney as a fair and reasonable fee. In addition, the City will pay Court costs, a Special Occupational Health and Safety Tax Fund, representing .75% of the permanent partial disability award, shall be paid the sum of \$189 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, shall be paid in the sum of \$504. Finally, that the Risk Manager and the Trust's legal counsel complies with the Order from the Workers' Compensation Commission.

ADOPTED by the Council and **SIGNED** by the Mayor of The City of Oklahoma City this
26TH day of SEPTEMBER, 2023.

ATTEST:

Amy K. Simpson
City Clerk



David Holt
Mayor

ADOPTED by the Trustees and **SIGNED** by the Chairman of The Oklahoma City
Municipal Facilities Authority this 26TH day of SEPTEMBER, 2023.

ATTEST:

Amy K. Simpson
Secretary



David Holt
Chairman

REVIEWED for form and legality.

Richard E. Mahoney
Assistant Municipal Counselor