

## 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 AND TO COMPLY WITH THE ORDER OF THE WORKERS' COMPENSATION COMMISSION CLAIM NO.: CM3-2022-00265X, STYLED: JONATHAN BURDINE, CLAIMANT VS. THE CITY OF OKLAHOMA CITY, RESPONDENT, AN OWN RISK CARRIER, AND AUTHORIZING THE MUNICIPAL COUNSELOR TO ASSIST SAID COUNSEL IN THE RENDITION OF THE AWARD 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 IN THE EVENT THE PARTIES REACH A JOINT PETITION SETTLEMENT OR THE AWARD IS COMMUTED TO A LUMP SUM.**

**WHEREAS**, Jonathan Burdine 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 September 11, 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.: CM3-2022-00265X, styled: Jonathan Burdine, Claimant vs. The City of Oklahoma City, Respondent, an Own Risk Carrier. That in compliance with the Order, Claimant is to be paid an amount of \$360 per week for 64.8 weeks, of which 32 weeks have accrued and will be paid in a lump sum amount of

\$11,520. The total amount of the award is \$23,328, plus any accrued interest. The settlement further calls for a 3% assessment of the PPD award in the sum of \$699.84 be deducted and paid for the Multiple Injury Trust Fund Tax, making the lump sum award \$22,628.16. 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 \$4,665.60 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 \$174.96 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, shall be paid in the sum of \$466.56. 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

6th day of December, 2022.

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 6th day of December, 2022.

**ATTEST:**

Amy K. Simpson  
Secretary



David Holt  
Chairman

**REVIEWED** for form and legality.

Richard E. Mahoney  
Assistant Municipal Counselor