



Legislation Details (With Text)

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**On agenda:** 3/12/2024      **Final action:** 3/12/2024  
**Title:** Consider adopting a resolution ratifying the action of the Deputy City Attorney and the City Manager in making payment on the judgment in the amount of \$51,624.47, in the Workers' Compensation case of Itaska Rountree in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-06859A.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Rountree, Itaska, Resolution

Date	Ver.	Action By	Action	Result
3/12/2024	1	City Council	approve	Pass

**ITEM TITLE:**

Consider adopting a resolution ratifying the action of the Deputy City Attorney and the City Manager in making payment on the judgment in the amount of \$51,624.47, in the Workers' Compensation case of Itaska Rountree in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-06859A.

**INITIATOR:** Deputy City Attorney, Timothy Wilson

**STAFF INFORMATION SOURCE:** Assistant City Attorney, Garrett Lam

**BACKGROUND:** This matter involves the Workers' Compensation claim of Itaska Rountree, a previous City of Lawton, Wastewater Treatment Plant employee, who alleges an injury to his left shoulder, left arm and left hand on February 13, 2019, when employed by the City of Lawton, Public Utilities Department. On February 22, 2024, Administrative Law Judge T. Shane Curtin of the Oklahoma Workers' Compensation Commission entered an Order awarding the employee 15 percent permanent partial disability to the left shoulder, 25 percent permanent partial disability to the left arm and 20 percent permanent partial disability to the left hand, in the total amount of \$54,375.75, and includes \$1,000.00 for consequential left hip (bone graft donor site), less an overpayment in the amount of \$2,751.28, reducing the judgment to \$51,624.47, including \$10,875.15 as attorney fee's. It was the opinion of the City's Workers' Compensation attorney that the award was consistent with the medical evidence and that there is no salient basis for an appeal. Because the Workers' Compensation Commission has expressed some concern in the past about cities holding judgments pending review by City Councils, it was the opinion of the Deputy City Attorney that the judgment should be paid in an effort to protect the City's own-risk status.

**EXHIBIT:** Resolution No. \_\_\_\_\_

**KEY ISSUES:** N/A

**FUNDING SOURCE:** Sinking Fund

**STAFF RECOMMENDED COUNCIL ACTION:** Adopt a resolution ratifying the action of the Deputy City

Attorney and the City Manager in making payments of the judgment in the amount of \$51,624.47, in the Oklahoma Workers' Compensation Commission case of Itaska Rountree, Case No. CM3-2019-06859A.