



Legislation Details (With Text)

**File #:** 22-469      **Version:** 1  
**Type:** Consent Agenda      **Status:** Agenda Ready  
**File created:** 7/25/2022      **In control:** City Council  
**On agenda:** 8/9/2022      **Final action:**  
**Title:** Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Matthew McKinney in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-04511A.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 22-\_\_

Date	Ver.	Action By	Action	Result
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**ITEM TITLE:**

Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Matthew McKinney in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-04511A.

**INITIATOR:** Assistant City Attorney, Christopher Hall

**STAFF INFORMATION SOURCE:** Assistant City Attorney, Christopher Hall

**BACKGROUND:** This matter involves the Workers' Compensation claim of Matthew McKinney, Firefighter with the Lawton Fire Department, who alleges injury to his lumbar spine (lower back) with date of injury as April 20, 2018. On July 15, 2022, Administrative Law Judge P Blair McMillin of the Oklahoma Workers' Compensation Commission entered an Order awarding Matthew Mckinney 5% permanent partial disability to the lumbar spine, in the total amount of \$5,652.50, including \$1,130.50 as attorney's fee. It was the opinion of the City's Workers' Compensation attorney that the award was consistent with the medical evidence and there is no salient basis for an appeal. Due to the Workers' Compensation Commission having previously expressed concerns regarding cities holding judgments pending review by City Councils, it was the opinion of the City Attorney the judgment should be paid to protect the City's own-risk status.

**EXHIBIT:** Resolution 22-

**KEY ISSUES:** N/A

**FUNDING SOURCE:** Sinking Fund

**STAFF RECOMMENDED COUNCIL ACTION:** Adopt a resolution ratifying the action of the City Attorney and the City Manager in making payment of the judgment in the Oklahoma Workers' Compensation Commission case of Matthew McKinney, Case No. CM3-2019-04511A.