



## Legislation Text

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**File #:** R-2021-129, **Version:** 1

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CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF RESOLUTION R-2021-129: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$95,774 FROM THE GENERAL FUND BALANCE FOR PAYMENT OF EXPENSES INCURRED FOR THE CARE OF EXOTIC ANIMALS SEIZED BY THE NORMAN ANIMAL WELFARE DIVISION.

**BACKGROUND:** On April 29, 2021, a Norman Animal Welfare Officer observed at 5500 East Rock Creek Road, an acreage known to have a number of animals, both domestic and exotic; the horses appeared to be malnourished and eating bark off of trees. On April 30, 2021, the Norman Police Department (NPD) and Norman Animal Welfare (NAW) obtained a search warrant for the property at 5500 East Rock Creek Road, Norman, Oklahoma.

Three Hundred Fifty Six (356) animals were found on the property. See attachment A. Most of these animals were deprived of food, water, shelter, and veterinary care; two (2) animals had died and a number of animals required emergency veterinary care.

In addition to NPD and NAW, law enforcement personnel from other agencies, including the United States Department of Agriculture, Cleveland County Sheriff's Office, Oklahoma State Wildlife Department and EMSA, assisted with seizing all of the animals.

Emergency boarding and veterinary care was provided to all of the animals.

NAW personnel spent a number of days locating rescue centers and community volunteers to care for the animals. A number animals were placed at the NAW shelter. Boarding, veterinary and other expenses were incurred to house and care for the animals.

**DISCUSSION:** On May 7, 2021, the City filed a bond application with the Cleveland County District Court asking the District Court to determine all reasonable and anticipated costs incurred by the City. A hearing was set for May 11, 2021, and continued until May 24, 2021. On May 7, 2021, the owners of the animals relinquished ownership to the City of Norman.

Prior to May 24, 2021, the NAW staff worked with rescue centers and community volunteers providing care for the animals to determine the costs incurred through May 7, 2021, including actual veterinarian costs. A small number of animals are in the custody and care of NAW. All other animals have been relinquished to rescue centers or community volunteers. A number of rescue centers and community volunteers waived boarding expenses.

The total amount incurred for boarding, expenses, veterinary care and NPD overtime for all the animals is \$95,773.08. District Judge Michael Tupper entered an Order on May 21, 2021, ordering the defendants, Aaron Stachmus and Bryson Anglin, to compensate the City of Norman in the amount of \$95,773.08. Defendants are required to pay a minimum of \$5,000.00 per month until the

\$95,773.08 is paid in full. The District Court will retain jurisdiction over this matter until the amount is satisfied.

A breakdown of all expenses is included as Attachment B.

**RECOMMENDATION:** At this time, City staff is recommending an appropriation of \$95,774 from General Fund Balance (Account No. 10-29000) to Other Supplies-Materials-Animal Control Event (10660270-43135) to be used to pay the total expenses incurred in the amount of \$95,773.08 as set forth in the attached breakdown of expenses. Funds received from the defendants for reimbursement of the expenses will be deposited into Reimbursements-Misc. Risk Management (Account No. Account No. 439-365264).