

Billings City Administration Weekly Report

April 19, 2019

1) Legislative Update

- a. **HB 773** – This attempt to shift costs of the Public Defender's office from state to local government died last week.
- b. **SB 352** – is a Conference Bill that provides total flexibility to legislators to make last minute changes during the session. This bill's hearing is Wednesday the 24th and we are watching it closely.
- c. **HB 749** – Rep. Zolnikov's human trafficking bill is waiting for the Governor's signature.
- d. **SB 147** – Sen. MacDonald's human trafficking bill is waiting for the Governor's signature.
- e. **HB 567** – School Marshall Program - This bill is currently on the Governor's desk for review/signature. This legislation may not have significant impact to Billings, unless School District #2 decided to amend future MOU's with the Billings Police Department. However there are concerns with this legislation from an overall law enforcement perspective. Chief Rich St. John and other law enforcement leaders have sent letters to Governor Bullock with their concerns. Chief St. John's letter is attached that spells out the concerns.
- f. **SB 160** – Firefighter Presumptive Illness - Governor Bullock signed SB160 on 04/18/2019. Significant discussion over the last two months with Montana Municipal Interlocal Authority (MMIA) board members was conducted as the workman's comp rates would be impacted. There were several amendments that were successfully added on this legislation that help minimize the impact of presumptive illness legislation. On 04/19/2019 the MMIA board approved the adoption of the workman's comp rates for the firefighter class code (7704) increasing from \$3.82 per \$100 of payroll to \$6.49 per \$100 of payroll. This amounts to an estimated increase for the City of Billings at \$237,638 for FY20. We will be working with MMIA, our Human Resources Department and the Fire Department to put into place the best risk management plan to mitigate fire fighter illnesses that follows the new legislation.

2) Leadership Team Retreat – Tuesday the full leadership team spent the day with Mark Willmarth. Our team development training focused on our individual Myers Briggs personality assessments and The Advantage, by Patrick Lencioni. Patrick's book sets the foundation for how our team will be working together to advance our great city. I encourage you to talk to any of the department directors to get their perspective on our work. This fall we are planning an off-site two-day retreat where we will continue building the team, set specific goals and a strategy for how we will move our organization forward to tackle the long term issues and opportunities our community faces. I encourage anyone who is a part of a team to read The Advantage!

3) **Board meetings/Task Forces**

- a. Rimrock Task Force – I presenting the City's adopted goals and answered questions. They primarily focused on transportation issues (Zimmerman Trail, the Inter-Belt Loop and the Highway 3/ Molt Road connector).
- b. Southside Task Force – They focused on code enforcement and the park cleanup.
- c. Central/Terry Task Force – Did not meet.
- d. Next weeks:
 - i. Heights Task Force – Tuesday the 23rd at 7:00 pm at the Oasis conference room.
 - ii. Southwest Corridor Task Force – Thursday the 25th at 7:00 pm at the Amend Park community room.

4) **City Council Agenda Memo Template** – Please review the attached memo template. The leadership team is considering changing all council memos to this new proposed template. We need your feedback. The goal is to efficiently, provide the Council and public with the critical information necessary to make an informed policy decision on items placed on the Council's agenda. Please let us know what you think in whatever format works best for you no later than April 26.

5) **Citizen Police Academy** – Tuesday's class focused on Use of Force, Firearms and Patrol Operations. The department did an excellent job. I only fired my BPD issued Glock once, I don't think I hit the perpetrator (my Glock was loaded with paint-ball rounds). The 8-week course started April 16 and runs through June 4.

Happy Easter!



CITY OF BILLINGS

POLICE DEPARTMENT

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April 17, 2019

Office of the Governor
PO Box 200801
Helena, MT 59620-0801

Dear Governor Bullock:

On behalf of the Billings Police Department, I am writing to urge you to veto HB567, the School Marshal bill. Although safety is paramount in our schools, a school marshal as proposed is not the answer. In fact, it may cause more problems than it will solve.

First and foremost, and against some proponent's assertions, a school marshal will not be a POST certified law enforcement officer as we know today. Any training program will fall short of POST requirements and be very myopic by design. To my knowledge, all SRO's in the state are full-time, POST certified officers, specializing to serve as a resource and how to deal with unique issues involving students.

The proposed marshal program would essentially create a single purpose guard. This is highlighted by Section 3 (1). It states in part, "A school marshal may act only as necessary to prevent or stop the commission of an offense that threatens serious bodily injury or death of persons on public school property." Simply stated, the marshal may only act in a deadly force situation. Otherwise, they do nothing. Last year, our SRO's handled 567 cases in Billings schools. Seventy-six were suicide threats or attempts, thirty were assault, and two for assault with a weapon and guns on school property. As you can see, there is much more than a single purpose presence in the schools. It is demanding, complicated, and potentially a high liability assignment.

Tasking apart, any employee assimilated into a school needs to be thoroughly vetted. Billings PD backgrounds require two investigators, for two weeks, per applicant. It is expensive, labor intensive, but necessary. This process is for a police officer who will not initially be in a school. A marshal will not be a teacher, not an employee of any particular department, and placed into schools. Whoever does the hiring must ensure a process that identifies dangerous or problematic behaviors.

Turning to technical skills, the amount of training time to develop firearms competency is inadequate. Our officers spend countless hours on the range and in scenario situations working to improve their skills, and more important, their decision making. The marshal program is designed to defeat, deter, or discourage an active shooter. Stopping the killings is priority number one. But an inadequately trained marshal with little or no scenario training will become

part of the problem and hinder a law enforcement response. To that point, statistics show that in active shooter situations, of officers who made solo entry while the scene was hot, one-third were shot.

Decision-making in high stress situations is critical. Officers with years of experience make mistakes or freeze. In a chaotic situation such as an active shooter, will the marshal have the decision-making ability required to operate in that environment? We have seen examples of both. Our officers receive 480 hours of POST training and fourteen weeks of field training. Even then, they only have the requisite training and background to be on their own. HB567 requirements are much less demanding. The sponsor suggests that marshal's will be police officers and SRO's. I will say unequivocally that if implemented in Billings, they will be neither.

Make no mistake, school safety is a priority for the Billings Police Department and all law enforcement in the state. Personally, I am in favor of any measure that makes schools safer. As long as those measures are well thought out, consistent with contemporary practices, founded in common sense, and in collaboration with law enforcement. HB567 is not. Thank you for your consideration.

Sincerely,



Rich St. John
Chief of Police



Council Memorandum

REPORT TO: Honorable Mayor and City Council

FROM: Staff Member; Supervisor; City Manager or Assistant City Manager (which ever oversees the department)

SUBJECT: Clearly define the subject matter. When working with agreements, contracts or easements please make sure that the subject title matches the title on the actual document.

MEETING DATE: month-day-full year (example: November 12, 2018)

AGENDA ITEM TYPE: List: Public Service Announcement, Consent, Special Presentation, Action or FYI.

RECOMMENDATION: Clearly define what you are asking the Council to do. This is the language that is used to form the Motion and Vote Language on the Agenda by the City Clerk. If you are asking for multiple motions, please list them separately. If you need assistance regarding the specific action the Commission must take, please do not hesitate to ask the City Clerk or the City Attorney for assistance.

BACKGROUND: Please give a brief summary of the project and the reason for the recommendations above. This memo is intended to be an overview. If the Council is being given all of the information that they need to make a decision in another document (such as an attached resolution, ordinance, conditions on a staff report, etc.) the memo must summarize that information. The memos are not only done for the edification of the Council but also for the education of the public and other staff and thus must be thorough. If there are any unresolved issues, please include them here.

ALTERNATIVES: Use this section to call out alternatives to the unresolved issues identified in the Background. If there are viable alternatives to the recommendation, those should also be included.

FISCAL EFFECTS: Please make sure that this area is filled out and verified by the Department head prior to submitting your materials to Agenda Manager. This area should address your CURRENT budget for revenues and expenditures and how the recommendation would affect it. If your recommendation affects future budgets, that needs to be clearly stated. If you don't have current budget authority to support the recommendation, that needs to be clearly stated and a funding plan outlined.

Attachments:

Report compiled on:

History of Park District #1

Background

- Park District 1 was established on December 19, 2011.
 - The City started receiving funding December 2012
- For the past six years City Council and Administration has directed the Parks Department not to assess more than \$2 million annually for capital projects (lifecycle replacement) and operating expenses
 - Roughly \$1.3 million annually has been budgeted for lifecycle replacement
 - Around \$0.7 million annually has been budgeted for operations
 - Includes 3 full-time & 5 seasonal employees
 - Arborist
 - Equipment Operator
 - Community Outreach and Engagement Coordinator (Volunteer Coordinator)

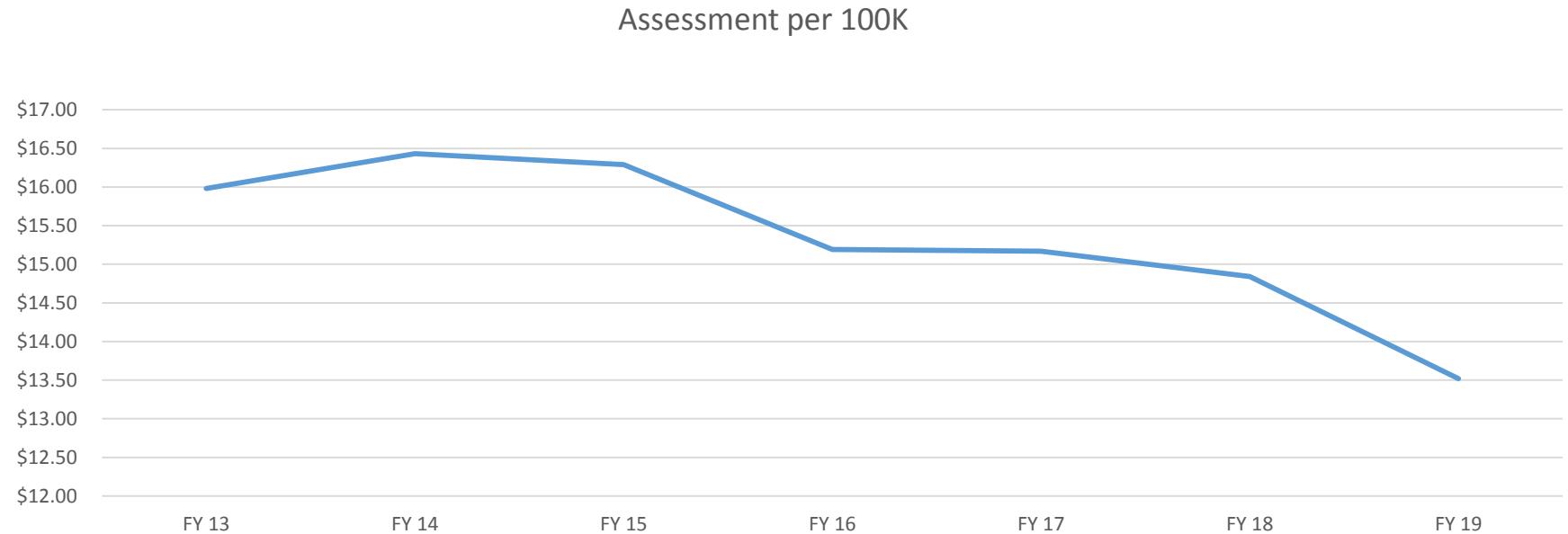
Background

- **Value of 2 million** – This is the buying power of \$2,000,000 each fiscal year, based upon information found at the Bureau of Labor Statistics. \$2 million in FY13 does not purchase the same amount in FY19. In fact, it purchases 8.5% less.

Background

- **Assessment on 100k home** – This is the amount charged to a home with a value of \$100,000 for Park District 1.

- FY13 \$15.98
- FY14 \$16.43
- FY15 \$16.29
- FY16 \$15.19
- FY17 \$15.17
- FY18 \$14.84
- FY19 \$13.52



- Due to the growth in the community homeowners' assessments amounts has declined over 17.7% since FY14.

Background

- According to our Department's 2017 Comprehensive Plan, we will have to replace approximate \$22,542,500 worth of park amenities over the next 10 years to maintain current level of services.
- Park District 1 Funds has leveraged an additional \$860,000 in additional funding (grants and donations) for capital projects.
 - Hawthorne Park playground equipment replacement \$125,000
 - Rose Park playground equipment replacement \$150,000
 - South Park playground equipment replacement \$75,000
 - Yellowstone Kelly Interpretive Site \$510,000

What has been
accomplished over the past
6 years with the City-wide
Park District?

Approximately \$6,360,000 in capital projects have been completed

\$420,000 in capital projects were completed in 2013

Replaced 2 waterslides at Rose Pool (\$420,000)

Before



Afterwards



\$1,150,000 in capital projects
were completed in 2014

Made 22 playgrounds safer by upgrading the fall protection under the playground equipment (\$420,000)

Locations

- | | |
|-------------------|--------------------|
| 1. Veterans Park | 12. Ponderosa Park |
| 2. Sacajawea Park | 13. Primrose Park |
| 3. Pioneer Park | 14. Gorham Park |
| 4. Rose Park | 15. Streeter Park |
| 5. Stewart Park | 16. Lillis Park |
| 6. Hawthorne Park | 17. Terry Park |
| 7. Walsh Park | 18. Highland Park |
| 8. Edgerton Park | 19. Eaton Park |
| 9. South Park | 20. Westwood Park |
| 10. North Park | 21. Evergreen Park |
| 11. Optimist Park | 22. Gorham Park |



Replaced pitching machines at the Stewart Park batting cages (\$50,000)



Remodeled 6 park restrooms (\$510,000)

Restroom Remodels

- Stewart Park
- North Park
- Veterans Park
- Optimist Park
- Pioneer Park
- Gorham Park



Veterans Park

Replaced 3 park restrooms
(\$170,000)

Modular Restroom Sites

- Central Park
- Sacajawea Park
- Mountview Cemetery



Central Park

\$1,240,000 in capital projects
were competed in 2015

Replaced playground equipment at South Park (\$260,000)



Replaced playground equipment at Pioneer Park (\$280,000)

Before



Afterwards



Rebuilt 4 tennis courts at Castle Rock Park (\$400,000)

Before



Afterwards



Rebuilt 3 tennis courts at Pioneer Park (\$300,000)



\$380,000 in capital projects were completed in 2017

Replaced a 50+ year old manual irrigation system with an automated system at Veterans Park (\$380,000)



\$3,170,000 in capital projects
were completed in 2018

Replaced Hawthorne Park Playground Equipment (\$170,000)



Replaced operations/bathhouse building at Rose Pool (\$1,900,000)

Before



Afterwards



Replaced wadding pool at South Park with a sprayground (\$1,100,000)

Before



Afterwards



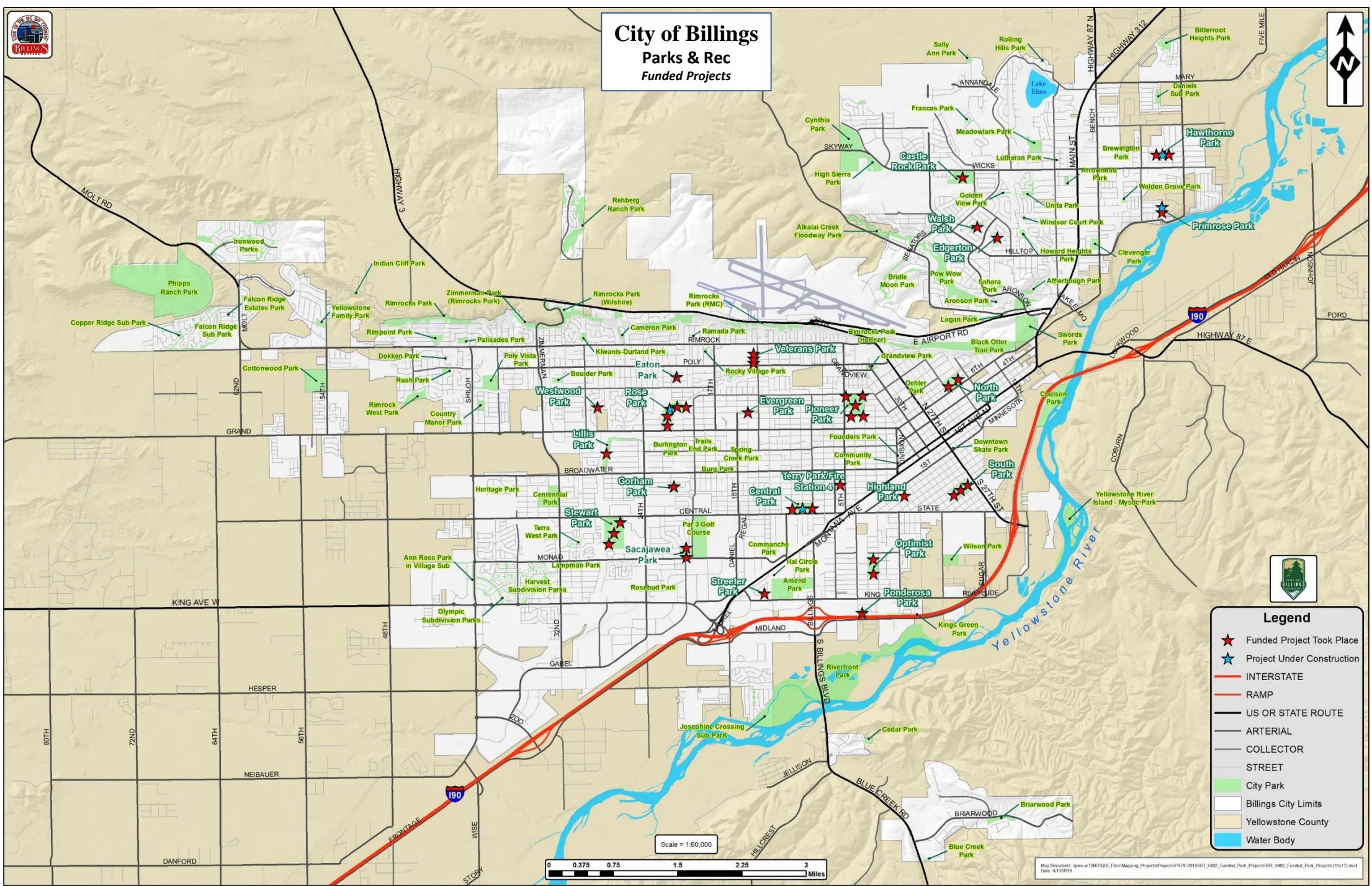
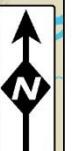
We have \$1,055,000 in
capital projects underway

Capital projects in progress

- Replace Primrose Park playground equipment (\$215,000)
 - Estimated competition year - 2019
- Replace Rose Park playground equipment (\$270,000)
 - Estimated competition year - 2021
- Hawthorne Park shade structure (\$70,000)
 - Estimated competition year - 2019
- Replace 4 tennis courts at Central Park (\$500,000)
 - Waiting on the results of a LWCF grant application before moving forward
 - Estimated competition year - 2022



City of Billings Parks & Rec Funded Projects



Proposed CIP changes