



November 7, 2023

P.O. Box 1178
Billings, MT 59103
P 406.657.8433

Yellowstone County Commissioners
Attn: John Ostlund, Chair
316 North 26th Street, Room 3101
P.O. Box 35000
Billings, MT 59107

Yellowstone County Sheriff
Mike Linder
2323 2nd Avenue North
P.O. Box 35017
Billings, MT 59107

Re: Proposal for a temporary misdemeanor pre-arraignment detention facility

Dear Commissioners and Sheriff Linder,

As stated in our April 2023 letter to you regarding a jail needs assessment, the City of Billings stands ready to partner with Yellowstone County to address overcrowding at the Yellowstone County Detention Facility (YCDF), as well as inefficiencies throughout the local criminal justice system. We know that a multi-pronged approach will be needed to move cases more quickly, support effective prosecution, and bring down barriers between jurisdictions. We applaud the efforts of county leaders to establish a working group to evaluate needs at YCDF and make recommendations to the Criminal Justice Coordinating Committee. We appreciate the opportunity to participate in the working group and would like to continue identifying areas of collaboration that enhance public safety.

Specifically, in the Fiscal Year 2024 budget, City Council voted to allocate funds to enter into an agreement with the Yellowstone County Sheriff's Office (YSCO) to develop a temporary, pre-arraignment misdemeanor detention facility. As you know, our community and the surrounding areas are plagued with individuals who commit crimes – often multiple infractions in short periods of time – and flagrantly defy the criminal justice system. They disrespect police officers, fail to appear in court, avoid warrants, and continue to walk free in the community without consequence. This situation must come to an end. Importantly, we must give officers tools to ensure that individuals are held accountable for their first offense, before criminal behaviors escalate into more violent crimes.

Municipalities in Montana have limited authority to operate detention facilities, but Council recognizes the need for additional system capacity. At the same time, we believe that innovation and expediency are important as well. City Council has discussed the issue many times during its meetings and voted to set aside an initial \$500,000 to demonstrate our seriousness in working with both the Commission and YCSO. At the direction of City Council, I offer the following proposal for your consideration:

- The City of Billings would like to enter an Interlocal Agreement, pursuant to §7-32-2243 and Title 7, Chapter 11, Part 1, MCA, to establish a temporary, secure facility designated to hold low-risk misdemeanor offenders prior to arraignment.
- The City will contribute an initial \$500,000 to Yellowstone County in FY24 for the development and operation of a temporary/modular structure[s] for use as secure inmate housing.
- Contract amounts for subsequent fiscal years to be negotiated, based on an initial projected annual operating cost of \$700,000-\$800,000 per year;
- Funds will be provided on a lump sum basis, rather than a per-bed or occupancy basis.
- The term of the agreement will be negotiated, but is anticipated to be between 3-5 years, subject to appropriations.
- Yellowstone County Sheriff's Office is solely responsible for the erection, operation, staffing, maintenance, inspecting, repairing, and security of the facility.
- Yellowstone County Sheriff's Office is solely responsible for the health, safety, and security of the inmates housed in the facility.
- At least 20 beds will be designated for misdemeanor offenders arrested within the city limits of Billings and must be available for holding those offenders upon being presented to the facility by law enforcement until an arraignment is held on the charges for which the person was arrested.
- No person will be held at the facility after an arraignment on the charges for which the person was arrested and YCSO will ensure that individuals remanded to YCDF following arraignment will be held at the main detention facility, not the pre-arraignment facility.

The City understands the County is currently evaluating systematic changes to alleviate jail overcrowding, but we believe it is worthwhile to explore this option as a stop-gap measure to address the immediate need for housing criminal offenders until a more permanent solution is found. Therefore, this proposal is intended to be temporary and not a permanent solution to the jail overcrowding, providing an opportunity for the City and County to test the idea and determine the actual need for secure beds to hold misdemeanor offenders.

There are different options for modular/temporary facilities that could be utilized for this proposed purpose. For example, Sprung Structures provides temporary structures that can be used as temporary holding cells or secure housing units. (For more information, please see <https://www.sprung.com/structures/commercial-buildings/correctional-facilities/>.) Attached is a preliminary estimate for a 50' W x 155' L structure and, although this may not include all

necessary specifications or information, it is provided to give an idea of what may be available within the budget proposed by the City.

I am sure there are other points that will need to be included. I would like to invite you and your key staff to meet with me and other city representatives to discuss this matter with the hope of drafting an Interlocal Agreement to memorialize this commitment. It is our hope to commence negotiations as soon as possible. Please reach out to me with any questions, as well as your availability, to further discuss this issue.

Sincerely,

A handwritten signature in blue ink that reads "G. Kukulski for".

Chris Kukulski
City Administrator

Enc.

cc: Mayor and Council
Chief of Police
City Attorney
Municipal Court Judge



A Faster
Way to Build

Budgetary Quotation Pending Final Design and Engineering

June 21, 2023

Jennifer Owens
City of Billings
210 North 27th Street
Billings, Montana 59101
406-876-3428
owenj@billingsmt.gov

Dear Ms. Jennifer Owens:

We are pleased to submit the following quotation for a Sprung Structure to be located at your site in Billings, Montana. Sprung is the inventor of the stressed membrane structure which has been patented worldwide. With over 130 years of experience, Sprung offers an innovative, cost effective building alternative which dramatically accelerates construction timelines while providing complete flexibility for the future.

STRUCTURE DESCRIPTION:

Signature Series **50 feet wide by 155 feet long**, measured by maximum width by maximum length including the following accessories:

- 1 - City of Billings Graphic Logo at Entrance
- 2 - Insulated Double Personnel Doors c/w Hood, High Traffic Panic, Closers & Top Lite (6'0"X7'0")
- 2 - LED Hood Lights 120-277, 50 or 60 Hz c/w Bracket and Photocell
- 4 - Frameless Penetration Kits for insulated structures (Medium) 3" to 6"
- 4 - Standard Framed Penetrations for insulated structure - size 4' wide by 4' high and smaller
- 10 - Tempered Safety Glass Windows 85" X 39" – Insulated R4.0
- 44 - 75 lb. Hanging Brackets – Interior suspension eye-nuts, powder coated or mill finish
 - 8" (R-25) blanket of foil backed fiberglass insulation c/w white interior liner membrane
 - Conduit Holes Set as per diagram provided by Sprung
 - Engineered Stamped Drawings
 - Perimeter Flat Bar
 - Tedlar or Kynar opaque membrane (White Tedlar Only)

PLEASE NOTE:

It is the responsibility of your contractor to connect any and all electrical for any options requiring power. Electrical specifications can be provided.

ARCHITECTURAL MEMBRANE:

Tedlar® or Kynar coated opaque membrane, available in a wide range of colors, please contact local Sprung sales office.

AVAILABILITY:

Normally from inventory.

INTERIOR HANGING DETAILS:

Sprung Instant Structures offers a large selection of brackets and hangers which can be utilized for the hanging of lighting, HVAC and any other items that may need to be suspended from the interior of the structure. The type and size in each case will depend on weight and proposed position. Please contact your Sprung representative for diagrams and further details.

ERECTION: We will supply a Technical Consultant on site to provide advice on the best methods of structure assembly and erection to a construction supervisor (or equivalent). The Technical Consultant is not authorized to perform any other services or directly supervise workers, customer is responsible for supervision of and safety compliance in structure location, orientation, assembly, and erection. The Technical Consultant is not a project manager, customer is solely responsible for project management if this is a requirement.

Required equipment and manpower:

- a) Manlifts.
- b) Appropriate fall protection (body harness and lifeline).
- c) Electrical power to site.
- d) **Estimated 6 workmen for approximately 23, 8 hour working days**, approximately half of which should be manlift qualified. Total manhours to complete is **estimated at 1,104**.
- e) A supervisor with construction experience.

PICKER: We request that you supply a picker with operator and rigger to assist in raising the free span aluminum beams during the erection sequence. It will be needed for **approximately 10 hours**.

HAND TOOLS: Although specialized hand tools are supplied for your use at no charge, you are responsible for the tools while they are at your site and until picked up by Sprung following completion of the erection of the structure. Lost, stolen, or damaged tools will be billed at their full replacement cost.

ANCHORAGE: Concrete Footing. Base reactions will be provided when required.

DISMANTLING: Rented structures will require our Technical Consultant for dismantling. The same terms as outlined above under the heading "Erection" and "Technical Consultant" will apply. It will be your responsibility to return the structure and tools, prepaid, to the depot in Salt Lake City, Utah.

PERMITS, LICENSES AND TAXES: It will be your responsibility to obtain all permits, licenses and pay all applicable taxes. This structure is designed to meet the IBC 2000.

ONSITE ENGINEERING INSPECTIONS: If onsite engineering inspections are required, please advise our sales office to request a quotation. These services will be quoted at our cost. Onsite inspections are not included as a part of Engineered Stamped Drawings.

GUARANTEE: To demonstrate our confidence in the quality and longevity of the Sprung Structure, our product comes with a 50 year pro-rata guarantee on the aluminum substructure and an architectural membrane pro-rata guarantee, in accordance with the attached Guarantee Certificate.

NOTE: **This quotation is valid for 30 days.**

RENTAL PRICING	
F.O.B. Salt Lake City, Utah, USA, Incoterms 2010, sales and/or use taxes extra.	
36 MONTH FIRM RENTAL FOR STRUCTURE PAYABLE MONTHLY IN ADVANCE:	\$9,599.00 / month
60 MONTH FIRM RENTAL FOR STRUCTURE PAYABLE MONTHLY IN ADVANCE:	\$6,840.00 / month
TERMS, O.A.C: Payable monthly in advance.	
<p align="center">PURCHASE OPTION: The Lessee has the option to purchase the structure as follows:</p>	
<p>If all rental payments have been made on time during the first three months of the rental period, 100% of these payments will be credited towards the purchase price, <u>or</u> alternatively,</p> <p>For the 36 Month Rental Option: If all rental payments have been made on time during the first thirty-six months the rental period, 60% of all thirty-six months payments will be credited towards the purchase price <u>or</u> alternatively,</p> <p>For the 60 Month Rental Option: If all rental payments have been made on time during the first 60 months the rental period, 45% of all sixty months payments will be credited towards the purchase price</p>	
<p>Note: Any purchase option can be exercised by presentation of Renter's check for the full purchase price, less the applicable credit, prior to the expiry of the applicable rental period.</p>	

PURCHASE PRICE	
STRUCTURE AND ACCESSORIES AS ABOVE: F.O.B. Salt Lake City, Utah, USA, Incoterms 2010, sales and/or use taxes extra.	\$409,602.00
TERMS, O.A.C: 50% with order; balance upon delivery of the structure.	

ADDITIONAL CHARGES	
TECHNICAL CONSULTANT PER DIEM: The Technical Consultant's travel, accommodation, and meals will be charged to you at the fixed cost shown.	\$11,563.00
DELIVERY: On your behalf, we can arrange for delivery of this structure by commercial carrier to your site in Billings, Montana at the fixed cost shown. This structure is sold F.O.B. Utah, 2010 Incoterms. Sprung will maintain responsibility for the shipment and will insure the shipment up until the point of delivery. Customer is responsible to receive and unload freight in a timely manner.	\$5,520.00

Thank you for the opportunity to submit this quotation and we look forward to being of service to you in the future.

Yours very truly,
Dave Barquest

Business Development Manager
SPRUNG INSTANT STRUCTURES, INC.

Sprung Instant Structures

This Guarantee is presented to:

City of Billings

The architectural membrane and aluminum materials utilized in Sprung Structures have been selected for their proven strength, durability and longevity. To show our sincere confidence in our product, Sprung Instant Structures is pleased to issue the following guarantees.

ARCHITECTURAL MEMBRANE WITH TEDLAR PVF FILM or KYNAR COATING

All membranes used are water and mildew resistant, insect proof and flame retardant. These membranes withstand extreme climatic variations and contain ultra-violet inhibitors to reduce degradation by the sun's rays. Flame retardant status has been warranted by the membrane suppliers.

Sprung Instant Structures guarantees to supply new replacement membrane, on a pro-rata basis at the then current price, for all colors of Tedlar or Kynar coated membranes which deteriorate from any of the aforementioned factors within Tedlar/Kynar TWENTY FIVE (25) YEARS from the date of delivery of the structure(s).

EXTRUDED ALUMINUM SUBSTRUCTURE AND COMPONENTS

Aluminum used is professionally engineered and is of the highest quality and structural capability. Sprung Instant Structures guarantees to replace, on a pro-rata basis at the then current price, any aluminum which deteriorates from normal usage within FIFTY (50) YEARS from the date of delivery of the structure(s).

The guarantee will not be valid if a Sprung technical consultant is not present during all erections and dismantling's of the structure during the guarantee period or if any payments associated with the structure(s) are not made on time.

June 21, 2023



PHIL SPRUNG - PRESIDENT

