

RESOLUTION 21-10980

A RESOLUTION REPEALING RESOLUTION 20-10856
THAT DECLARED A STATE OF EMERGENCY IN THE
CITY OF BILLINGS.

WHEREAS, on March 16, 2020, the City of Billings and Yellowstone County jointly declared a state of local disaster emergency due to the imminent threat of widespread loss of life resulting from worldwide outbreak of COVID-19;

WHEREAS, the Billings City Council wishes to repeal Resolution 20-10856 and any subsequent orders related to Resolution 20-10856 including, but not limited to, Resolution 20-10863.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF BILLINGS, MONTANA:**

1. Resolution 20-10856, and any related orders or directives, including but not limited to Resolution 20-10863, are hereby repealed.

2. Copies of this Resolution will be filed with the Yellowstone County Clerk and Recorder, the Billings City Clerk, and the Yellowstone County/City of Billings Disaster and Emergency Services Coordinator.

APPROVED AND PASSED by the Billings City Council this 26th day of July, 2021.

CITY OF BILLINGS



By: William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk

Return To:
Board Clerk

Repealed By
Res. 21-10980
7.26.2021 db

MC
03/18/2020 09:48 AM Pages: 1 of 4 Fees: 0.00
Jeff Martin Clerk & Recorder, Yellowstone MT

3914534

Joint Yellowstone County and City of Billings Emergency Declaration

Resolution No. 20-31

CITY OF BILLINGS RESOLUTION NO. 20-10856

WHEREAS, the World Health Organization has declared the worldwide outbreak of COVID-19 Novel Coronavirus a pandemic;

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary Alex M. Azar declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19;

WHEREAS, as of March 10, 2020, the United States Centers for Disease Control and Prevention (CDC) indicates there are over 125,000 confirmed cases of COVID-19 worldwide with over 900 confirmed cases in the United States;

WHEREAS, the Montana Department of Health and Human Services (DPHHS) recognizes COVID-19 as a threat to the residents of Montana;

WHEREAS, although there are presently confirmed cases in Montana, and the Montana DPHHS, local health departments, health and medical departments and local jurisdictions have activated response plans and protocols to combat the virus in Montana;

WHEREAS, local officials are working to identify, contact, and test individuals in the State of Montana who have been potentially exposed to COVID-19 in coordination with the CDC;

WHEREAS, proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the City of Billings and Yellowstone County and its people;

WHEREAS, on March 12, 2020, Governor Bullock declared a state of emergency for Montana as defined in §§10-3-103 and 10-3-302, MCA.



WHEREAS, Section 10-3-103(4) MCA defines "disaster" as the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or artificial cause;

WHEREAS, Section 10-3-103(8) MCA defines "emergency" as the imminent threat of a disaster causing immediate peril to life or property that timely action may avert or minimize;

WHEREAS, The Mayor of the City of Billings has the authority to enter into this Joint Declaration under Section 2-903, Billings Montana City Code; and,

WHEREAS, Yellowstone County and the City of Billings are addressing the threat that COVID-19 poses to the health and welfare of its residents and visitors;

WHEREAS, on March 15, 2020, Governor Bullock ordered closed all K-12 schools for a period of two (2) weeks;

NOW, THEREFORE, BE IT RESOLVED pursuant to Title 10, Chapter 3, Part 4, MCA, the Yellowstone County Commission and the Billings City Council declare that an emergency for Yellowstone County and the City of Billings is posed.

IN ADDITION, by this declaration we direct the implementation of the Comprehensive Emergency Management Plan and authorize all necessary County and/or City agencies, including but not limited to the Yellowstone County Emergency Operations Center, to take appropriate action to assist the County and City and individuals in containing, preparing for, responding to and recovering from this disaster emergency, to protect County and local property, and to provide such other assistance as is necessary to protect the public health, welfare, and safety. Included is necessary testing, equipment such as Personal Protective Equipment (PPE) and other materials and supplies deemed necessary to assist with finding, preventing and combatting the virus.



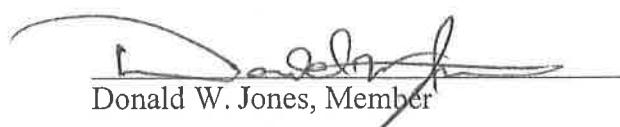
BE IT FURTHER RESOLVED that copies of this resolution will be filed with the Yellowstone County Clerk and Recorder.

PASSED AND ADOPTED this 16th day of March 2020.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


Denis Pitman, Chairman

ATTEST:

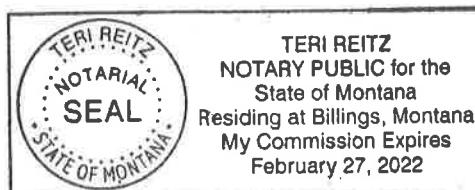
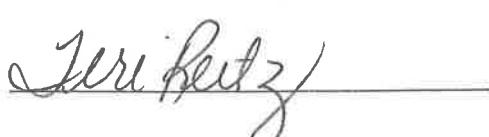

Donald W. Jones, Member
Jeff Martin, Clerk and Recorder
John Ostlund, Member

STATE OF MONTANA)

:
County of Yellowstone)

On the 16th day of March, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Denis Pitman, Chairman, Donald W. Jones, John Ostlund and Jeff Martin know to me to be the Board of County Commissioners and the Clerk and Recorder of Yellowstone County, Montana, and who signed the foregoing instrument and who acknowledged to me that they executed the same.

WITNESS my hand and seal the day and year hereinabove written.



CITY OF BILLINGS:

BY: William A Cole
William A. Cole, Mayor

ATTEST:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk



MC

3914534

03/18/2020 09:48 AM Pages: 4 of 4 Fees: 0.00

Jeff Martin Clerk & Recorder, Yellowstone MT



CITY OF BILLINGS:

BY: William A. Cole
William A. Cole, Mayor

ATTEST:



BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

RESOLUTION 20-10863

Repealed By

Res. 21-10980
7-26-2021 db

**A RESOLUTION CONFIRMING THE MAYOR'S DIRECTIVE UNDER
SECTIONS 2-903(2) AND 2-905, BMCC, TO ALLOW BASIC LIFE
SUPPORT LEVEL RESPONSE TO CERTAIN EMERGENCY MEDICAL
CALLS BY AMERICAN MEDICAL RESPONSE AS DIRECTED BY ITS
MEDICAL CONTROL PHYSICIAN**

WHEREAS, the COVID-19 nationwide emergency has placed an extraordinary and unprecedeted demand upon the emergency medical system; and

WHEREAS, American Medical Response (AMR) is required to operate within the City of Billings under a 24 hour/7 day a week Advanced Life Support (ALS) license as required by Sections 15-703 (2) and (3), BMCC; and

WHEREAS in order to be more efficient in the resource allocation of emergency services and equipment during the COVID-19 emergency, in addition to its Advanced Life Support (ALS) services, AMR has requested that it be allowed to operate under a Basic Life Support (BLS) level in responding to certain specific emergency calls for service as supervised by its Medical Control physician, and

WHEREAS, the Mayor has agreed with such request and on April 4, 2020, issued a directive to authorize such responses under the emergency authority granted to the Mayor in Sections 2-903(2) and (3), BMCC, which has the effect of an ordinance under section 2-903(2), and

WHEREAS, Section 2-903(2) requires that the City Council later confirm the Mayor's emergency directive, and

WHEREAS, the City Council, during its April 13, 2020 Regular Business Meeting, approved an amendment to the language contained in the Mayor's emergency directive of April 4, 2020, and that amendment is reflected in this Resolution, see Exhibit A attached.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, as follows:

1. **EMERGENCY DIRECTIVE CONFIRMED.** The emergency directive from the Mayor to the City Administrator authorizing a temporary licensing authority to American Medical Response under Section 15-703(2) and (3), BMCC, to include Basic Life Support services along with and to supplement current Advanced Life Support services at the direction of and upon the supervision of its local Medical Control physician is hereby confirmed and approved by the City Council. Such sections shall read as follows:

Sec. 15-703. - *Criteria for license.*

Any person desiring to obtain the license required by this article shall demonstrate the ability to meet the following requirements:

...
(2) "During an emergency as declared by the Mayor that permits a Basic Life Support (BLS) response under specific circumstances as determined by the appropriate medical control physician, Basic Life Support response will be limited to low acuity call response codes known as Alpha and Bravo. This temporary change shall not reduce the response requirement to calls coded for ALS (Charlie, Delta and Echo). Therefore, the applicant must otherwise provide emergency medical services at the advanced life support level throughout the city, twenty-four (24) hours per day, seven (7) days per week..
Except as provided in subsection (2), the applicant must have adequate personnel, vehicles, equipment and facilities to respond at the advanced life support level to emergency calls to all locations within the corporate limits of the city within eight (8) minutes or less on at least ninety (90) percent of such calls. The response time does not apply to calls that have been screened by 9-1-1 dispatch and are dispatched to an ambulance with the specific statement that it is "no code," mean not life threatening."

2. EFFECT AND DURATION OF CONFIRMATION. Pursuant to Section 2-908, BMCC, this confirmation shall act as a temporary emergency amendment to the emergency services licensing requirements at section 15-703(2) and (3), until such time as expiration of any declaration of emergency applicable to residents of the City of Billings or the majority vote of the city council terminating the emergency directive referenced in Paragraph 1, whichever occurs first.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 13th day of April, 2020.



CITY OF BILLINGS

By: William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk



CITY OF BILLINGS

Exhibit A

BILL COLE, MAYOR
P.O. BOX 1178
BILLINGS, MONTANA 59103
(406) 657-8296
FAX (406) 657-8390
coleb@ci.billings.mt.us

April 20, 2020

Chris Kukulski
City of Billings
210 N. 27th Street
Billings, MT 59101

Dear Mr. Kukulski:

This letter amends the emergency directive included in my letter of April 4, 2020 relating to the level of emergency response described in Billings Montana City Code, Section 15-703(2) and (3).

Consistent with Section 2-903(2), BMCC, the City Council considered my April 4, 2020 directive at its regular business meeting held on April 13, 2020. More specifically, the council voted to confirm the temporary directive but with an amendment to the new language that was included in the original directive.

In accordance with the action taken by the City Council, Section 15-703(2) and (3), BMCC, are therefore hereby amended to provide as follows during the course of the current emergency.

Sec. 15-703. - Criteria for license.

Any person desiring to obtain the license required by this article shall demonstrate the ability to meet the following requirements:

- (2) During an emergency as declared by the Mayor that permits a Basic Life Support level of response under specific circumstances as determined by the appropriate medical control physician, Basic Life Support response will be limited to low acuity call response codes known as Alpha and Bravo. This temporary change shall not reduce the response requirement to calls coded for ALS (Charlie, Delta and Echo). Therefore, the applicant must otherwise provide emergency medical services at the advanced life support level throughout the city, twenty-four (24) hours per day, seven (7) days per week.
- (3) Except as provided in subsection (2), the applicant must have adequate personnel, vehicles, equipment and facilities to respond at the advanced life support level to emergency calls to all locations within the corporate limits of the city within eight (8)

Chris Kukulski
April 20, 2020
Page 2

minutes or less on at least ninety (90) percent of such calls. The response time does not apply to calls that have been screened by 9-1-1 dispatch and are dispatched to an ambulance with the specific statement that it is "no code," mean not life threatening.

Please contact me if you have any questions.

Very truly yours,



William A. Cole, Mayor
City of Billings

cc: Rocco Roncarati, Regional Director, American Medical Response
Bill Rash, Chief, Billings Fire Department
Kevin Iffland, Assistant City Administrator
Brent Brooks, Billings City Attorney