

**FIRCREST CITY COUNCIL
STUDY SESSION AGENDA**

**MONDAY, NOVEMBER 18, 2024
6:00 P.M.**

**COUNCIL CHAMBERS
FIRCREST CITY HALL, 115 RAMSDELL STREET**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Agenda Modifications
5. [Court Security Plan Discussion](#) 2
6. [Budget Workshop](#) 12

The public is invited to listen to the meeting via Zoom utilizing the below call-in information:

Zoom Meeting Details:

Dial-in Information: 1-253-215-8782 Webinar ID: 885 3802 7612 Password: 771679

FIRCREST CITY COUNCIL AGENDA SUMMARY

NEW BUSINESS: Court Security Discussion

ITEM: 5

DATE: October 22, 2024

FROM: The Honorable Meagan Foley, Presiding Municipal Court Judge
Samantha Olivarez, Court Administrator

RECOMMENDED MOTION: None. Discussion only.

SUMMARY: The purpose of this discussion is to update the Council about court security requirements, specifically regarding weapons screening by uniformed security personnel under Washington State Courts General Rule 36 (GR 36), and to outline the initial plan for gaining compliance.

OVERVIEW: The Municipal Court's security plan, adopted in 2017, is in need of updates to align with the security standards outlined in GR 36. A copy of GR 36, which details these requirements, is provided in the agenda packet for reference.

To ensure compliance with Section G2 of GR 36, staff has requested the use of ARPA funds to purchase a metal detector. This purchase is a key step in meeting the screening requirements set forth by the rule.

Additionally, a revised court security plan is being developed, incorporating the necessary measures to align with GR 36. With the acquisition of the metal detector the plan will be updated to reflect a change from "upon reasonable suspicion" to a policy where "all court participants will be screened." The original and draft versions of the security plan are attached for review.

Our Presiding Judge is also encouraging the City to obtain a legal opinion on security needs for the entire building and suggests a professional security assessment.

A proposed layout for the placement of the metal detector, as well as the ingress/egress points for the court, is also provided. The metal detector will be stationed in the City Hall lobby, and the current bailiff will conduct screenings at the south-side entrance. The south door will serve as the main Court entrance, while the east door will be designated as the exit. Please note that these logistics may be adjusted as the plan is implemented and refined to optimize security.

ATTACHMENTS: [2017 Adopted Court Security Plan & Procedure](#)
[Revised Court Security Plan & Procedure – Draft](#)
[Rule GR 36 – Trial Court Security](#)
[Proposed Metal Detector Location](#)

COURT SECURITY PLAN AND PROCEDURES

Background

Due to the nature of activities conducted by the Fircrest Municipal Court, additional levels of security are required to ensure safety during court proceedings. The safety and security of the public and city/court employees is a primary concern of the Fircrest Municipal. Under reasonable suspicion, Fircrest Municipal Court has authorized the Fircrest Police Department to perform initial security screening of people as they enter the Municipal Court.

Security Threat

The most realistic security threat is a distraught individual or individuals who take exception to a Court ruling, a Prosecuting Attorney's effort, has mental health issues, or has disagreement with a fellow citizen or spouse regarding some legal action that has brought them into proximity of each other.

Purpose

This plan establishes the security procedures to be in place to protect the public and city/court employees entering the Municipal Court. It does not address courtroom security other than initial response to incidents within the building.

Definitions

- a. Security access point – main point of entry into the Fircrest Municipal Courtroom.
- b. Secure area – that area beyond the security checkpoint.
- c. Bailiff/Court Security – Police officers supplied by the Fircrest Police Department working under the direct supervision of the Chief of Police, Municipal Court Judge and/or the Court Administrator.
- d. Restricted area – an area not open to the public.
- e. High security area – those areas designated as limited access areas such as judge's chambers, clerk's office and jury room.
- f. Court calendar – Every Wednesday from the time the Judge enters the Fircrest Municipal Court until he leaves the building.

Security Procedures for Entering the Fircrest Municipal Courtroom

- a. The public entrance into the Fircrest Municipal Court will be the main courtroom door inside the front entrance of the building. The public will be restricted to public places within the Fircrest Municipal Court unless a city/court employee allows them into the restricted/high security areas.
 - b. Prohibited items within the Fircrest Municipal Court are listed in Appendix A.
1. Upon reasonable suspicion of weapons or other prohibited items, the Bailiff/Court Security Officer shall refuse entry to the bearer and direct them to immediately leave the Court building to discard or secure the item, or if applicable take the bearer into custody.
 2. Bailiff/Court Security Officers will be present for the entire duration of the Court calendar:
 - o Bailiff/Court Security Officers will be polite at all times and act as discretely as possible when handling personal items.

- Bailiff/Court Security Officers will direct the flow of paperwork between the Court and the defendant.
- Bailiff/Court Security Officers will monitor the courtroom for potential threats to protect the Judge, staff and public for the duration of the Court calendar.

Response to Incidents in the Fircrest Municipal Court

- a. The Bailiff/Court Security Officer will attempt to resolve any issues that occur in the courtroom.
- b. Panic buttons are installed in critical areas within the Municipal Court. These buttons set off alarms in the 911 Communications Center and a dispatcher will take action to notify the appropriate agencies.
- c. Court staff shall call 911 in the case of an emergency that the Bailiff/Court Security Officer is not able to immediately resolve, and if able to do so under emergency situations.
- d. Court staff shall report all incidents electronically to the Administrative Office of the Courts (AOC) on the AOC Threat/Incident Report Form within one week of the incident.

Review/Changes to Security Plan

The Court Security Committee will review the overall security plan as needed. The Municipal Court has responsibility for this plan.

(Adopted 9/1/2017)

Appendix A:

List of items prohibited/controlled in the Fircrest Municipal Court:

In accordance with Washington State Law, certain items are prohibited in a Courtroom. Signs will be posted at the building's entrance and at the security entrance point designating prohibited items.

The following items are prohibited within the Fircrest Municipal Court. Additional items may be prohibited as determined by Police or Court Staff.

Deadly Weapon as defined under RCW 9A.04.110

Guns (unless Law Enforcement Official)	Tazers
Knives	Throwing Stars
Explosives	Fireworks
Box cutters/Mail openers	Ice Axes/Picks
Scissors (Pointed tips and blades over four inches in length)	Meat Cleavers
Realistic Replicas of Firearms	Razor type blades
Starter Pistols	Sabers
Axes and Hatchets	Swords
Cattle Prods	Clubs
Crowbars Hammers	Arrows
Saws	Pool Cues
Tools (greater than seven inches)	Baseball Bats
Billy Clubs	Spear Guns
Black Jacks	Ski Poles
Brass Knuckles	Ammunition
Mace/Pepper Spray	BB Guns
Night Sticks	Compressed Air Guns
Nunchucks	Flare Guns
Stun Guns	Pellet Guns

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Security Threat

The most realistic security threat is a distraught individual(s) who take exception to a Court ruling, a Prosecuting Attorney's effort, has mental health issues, or has disagreement with a fellow citizen or spouse regarding some legal action that has brought them into proximity of each other.

Purpose

This plan establishes security procedures to be in place to protect the public and city/court employees entering the Municipal Court. In addition, provides initial response to incidents within the Municipal Court.

Definitions

- a. Security access point – main point of entry into the Fircrest Municipal Courtroom.
- b. Secure area – that area beyond the security checkpoint.
- c. Bailiff/Court Security – Police officers supplied by the Fircrest Police Department working under the direct supervision of the Chief of Police, Municipal Court Judge and/or the Court Administrator.
- d. Restricted area – an area not open to the public.
- e. High security area – those areas designated as limited access areas such as judge's chambers, clerk's office and jury room.
- f. Court calendar –scheduled judicial docket as outlined in the court's yearly calendar, from the time the Judge enters the Municipal Court until they leave the building.

Security Procedures for Entering the Fircrest Municipal Courtroom

- a. The entrance into the Fircrest Municipal Court will be the south facing courtroom door inside the front entrance of the building. The public will be restricted to public places within the Fircrest Municipal Court unless a city/court employee allows them into the restricted/high security areas.
- b. Prohibited items within the Fircrest Municipal Court are listed in Appendix A.
- c. Certified law enforcement officers shall be allowed access to the courtroom without the need for weapons screening. Certified law enforcement officers who are not in uniform are required to provide department identification prior to being allowed in the courtroom area without being screened.
- d. The security access point will be staffed by a bailiff/court security officer who will facilitate the flow of all court participants through the metal detector into the courtroom entrance and visually check briefcases, purses, and other carried items. The police officer may use a handheld metal detector to assist in locating metal objects or any unauthorized material. Additional procedures will be followed:

1. Only briefcases or purses will be allowed beyond the security access area. If a member of the public brings a backpack or other large bundle, they will be advised to secure it outside the building.
2. If the individual has a briefcase, purse or other carried item, the court security officer will ask them to open it to visually inspect the contents. If the court security officer is still unable to do a thorough inspection, they will ask the individual if they will allow the court security officer to look through bag. If the individual will not give consent, the individual will be advised the item will need to be secured outside the building prior to entering the courtroom. Individuals bringing in electronic equipment (such as laptops) may be asked to turn them on to see if they are operational.
3. The Bailiff/Court Security Officer shall refuse entry to the bearer of any weapons or other prohibited items and direct them to immediately leave the Court building to discard or secure the item, or if applicable take the bearer into custody.
4. Bailiff/Court Security Officers will be present for the entire duration of the Court calendar.
5. Bailiff/Court Security Officers will be polite and act as discretely as possible when handling personal items.
6. Bailiff/Court Security Officers will monitor the courtroom for potential threats to protect the Judge, staff and public for the duration of the Court calendar.

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- c. Court staff shall call 911 in case of an emergency that the Bailiff/Court Security Officer is not able to immediately resolve, and if able to do so under emergency situations.
- d. Court staff shall report all incidents electronically to the Administrative Office of the Courts (AOC) on the AOC Threat/Incident Report Form within one week of the incident.

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(Adopted 9/1/2017, Revised 11/06/2024)

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Mace/Pepper Spray	Compressed Air Guns
Night Sticks	Flare Guns
Nunchucks	Pellet Guns
Stun Guns	
Tazers	

WA Rule GR 36 - Trial Court Security (As amended through October 10, 2024)

(a) Purpose. A safe courthouse environment is fundamental to the administration of justice. Employees, case participants, and members of the public should expect safe and secure courthouses. This rule is intended to encourage incident reporting and well-coordinated efforts to provide basic security and safety measures in Washington courts

(b) Definition. "Incident" is defined as a threat to or assault against the court community, including court personnel, litigants, attorneys, witnesses, jurors, or others using the courthouse. It also includes any event or threatening situation that disrupts the court or compromises the safety of the court community.

(c) Incident Reports. (1) *Reporting Method.* (i) The court should make a record of each incident as soon as practicable, but no later than two days after the incident. The report shall be kept on file by the local court administrator. (ii) The court shall report all incidents electronically to the Administrative Office of the Courts (AOC) on the AOC Threat/Incident Report Form within one week of the incident.

(d) Court Security Committee.

(1) *Role.* Each trial court should form a Court Security Committee to coordinate the adoption of court security policies and make recommendations regarding security protocols, policies, and procedures necessary to protect the public, court personnel and users, and court facilities. The Court Security Committee should adopt a Court Security Plan and thereafter revise the plan as may be necessary. (2)

2) *Committee Composition.* The Presiding Judge for each court should convene a Court Security Committee meeting and invite representatives from the following:

- (i) judiciary;
- (ii) court clerical staff;
- (iii) prosecuting authority's office;
- (iv) public defender's office;
- (v) executive branch;
- (vi) law enforcement;
- (vii) facilities/maintenance department;
- (viii) any other agency of government housed in the same building;
- (ix) any other person the presiding judge deems appropriate.

(e) Court Security Plan. Each Court Security Committee should create a Court Security Plan for each courthouse location. If a Court Security Plan is adopted; the Court Administrator shall keep the Plan on file and accessible to the court community. The Court Security Plan should be in writing and should address: (1) routine security operations, including security screening for persons entering the court facility, secure storage of weapons not permitted in the courthouse, parking, landscaping, interior and exterior lighting, interior and exterior doors, intrusion and detection alarms, window security, protocol for building access for first responders, and provision of building floor plans for first responders.

(2) written or oral threats or declarations of intent to inflict pain or injury upon anyone in the court community;

(3) physical layout of court facility and escape routes;

(4) threats--in court or by other means (telephone, e-mail, website, etc.);

(5) bomb threat;

(6) hostage situation;

(7) weapons in the court facility;

(8) active shooter

(9) escaped prisoner;

- 10) high risk trial plan;
- (11) routine security operations;
- (12) Threat and security incident response techniques in and around the court facility, which may include how to defuse situations and remain calm during an incident;
- (13) Personal safety techniques in and around the court facility;
- (14) Irrate and abusive individuals.

f) Security Drills. Each court may hold security drills as determined by the Court Security Committee, as deemed necessary by the Presiding Judge in consultation with other authorities in the courthouse. Drills should include all court personnel, prosecutors, defense attorneys, law enforcement, and other regular court users.

(g) Minimum Court Security Standards. Every court shall endeavor to meet or exceed the following minimum standards. Should the court fail to meet the minimum court security standards, the court should state in the Court Security Plan why the minimum standards were not met.

(1)*Policy and Procedure Guide for all Court and Clerk Personnel.* Trial courts shall develop a Court Security Policy and Procedure Guide, using as examples the guides from Spokane County and Seattle Municipal Court, which guides are available from the AOC.

(2)*Weapons Screening by Uniformed Security Personnel at all Public Entrances.* Uniformed security personnel shall perform weapons screening at all public entrances, using, as a minimum, metal-detector wand screening and physical examination of bags, briefcases, packages, etc.

(3)*Security Audits Every Three Years.* Trial courts shall conduct a security audit at least every three years. Updates to the Court Security Policy and Procedure Guide shall be disseminated to all court and clerk personnel.

(4)*Security Cameras Recording with Loops of at Least Seven days, with Signage That Recording Is Taking Place.* Security cameras shall be placed at strategic locations as determined by the Court Security Committee, with signs posted nearby advising that recording is taking place. Security camera footage shall be retained for at least 7 days.

(5)*Duress Alarms at Multiple Strategic Locations, Such as Clerk's Office, Administration, and Courtrooms, with Broadcasting to the Nearest Law Enforcement Agency with Jurisdiction over the Court Site.* Easily accessible and discreetly placed duress alarms shall be located at multiple strategic locations as determined by the Court Security Committee. The duress alarm shall broadcast to the law enforcement agency that has jurisdiction to respond to the site and that is closest to the site.

(6)*Emergency Notification Broadcast System in Place, with Standardized Color Coding, and All Personnel Trained on the System.* An emergency notification broadcast system shall be established with standardized color coding denoting the level of emergency. All court and clerk personnel shall be trained on use of the system.

(7)*Active Shooter Training for All Court and Clerk Personnel.* Active shooter training shall be delivered to all court and clerk personnel.

Wash. Gen. R. GR 36 Adopted effective 9/1/2017.



Exit

Entrance

Metal detector will be
set up here

Exit

Entrance



To: Mayor and Councilmembers
From: Dawn Masko, City Manager
Date: November 18, 2024
Subject: 2025 Preliminary Budget Workshop

ARPA Discussion:

We have had several discussions regarding ARPA expenditures during our recent budget workshops. Attached is a current spreadsheet showing the current status of allocated and unallocated funds. The items highlighted in orange have been identified as ARPA expenditures but are not yet formally committed. The italicized numbers represent placeholders while we await additional information.

For Council's consideration, the following items have been suggested for ARPA funding:

- Masko Park Playground
 - Option 1 – Swing Set only: \$15,750
 - Option 2 – Swing Set w/Log Pile play structure: \$42,000
- Masko Park/Seabrook Rhododendron Garden – Trails Clean-up: \$10,000
- Fircrest Park Tennis Courts fence: \$22,719
- Lower Business District Trash Cans (2): \$2,000
- Fircrest Park Drinking Fountain: \$4,000

Currently there is a \$20,000 placeholder for the Masko Park playground equipment and \$10,000 for the trails cleanup project. Additional details on these projects were included in the November 4th, 2024, budget memo. Please note there is still some uncertainty about the ability to enter into a contract for the trails cleanup and landscaping portion of the Masko Park project before December 31st.

Regarding the lower business district trash cans and the Fircrest Park drinking fountain, these items are already included in the Centennial Celebration line item of the 2025 Preliminary Budget but could be funded through ARPA funds instead.

Preliminary estimates for the Princeton Street Water Upgrades project are approximately \$97,950. Staff have posted this project to the MRSC Small Works Roster site to obtain bids. Additionally, staff are exploring the possibility of using the remaining Water Capital ARPA funds to repair the check valve at Wellhouse #8. These two projects will fully utilize the remaining ARPA funds allocated for water capital improvements.

Questions/comments from the Budget Workshops:

- **Sewer rate increase for treatment costs?**

Public Works Director Bemis is working on determining the amount of the rate increase based on the City of Tacoma's "ratio of applicability."

- **How many Fircrest Soccer Club participants are Fircrest residents?**

Of the 437 players registered in 2024, 141 were Fircrest residents. 68% of the participants (296) are non-residents.

Staff are still looking into the following questions:

- How many Animal Licenses have been purchased?

- What other comparables were used for the proposed increases in planning and building-related fees and charges?

Salary Survey:

The City reviewed salaries for all exempt and non-represented employees as part of the 2025 budget process, utilizing the same set of comparable cities that was utilized for the last comprehensive salary study done in 2018. These are also comparable cities that were utilized during recent collective bargaining to establish salary ranges for represented employees. The comparable cities used are Buckley, DuPont, Edgewood, Gig Harbor, Milton, Orting, Steilacoom, Sumner, and Yelm.

Information for these cities was obtained from the 2024 Association of Washington (AWC) Cities Salary and Benefits Survey and from the adopted salary schedules for positions where information was not available in the AWC survey. Three positions had fewer than three comparable benchmarks; an alternative method of determining the appropriate compensation was utilized for them.

This study utilized median market compensation at the 50th percentile, which is generally the median (“middle”) value. Of the city’s 24 job classifications, all but five are currently below the 50% median market salary rate. Of the 19 positions that fall below market, six are more than 5% under the median. To bring all non-represented positions up to 50% of median market rate, the total estimated budget impact, including mandated benefits, would exceed \$111,000, with approximately \$93,000 of that representing a General Fund liability. The modified approach results in a budget impact of just over \$23,000 with \$18,000 of that being a General Fund liability.

Given the current budget uncertainties heading into 2025, it is not recommended to fully address the wage discrepancies across all positions at this time. Instead, the City Manager recommends implementing a 3.6% cost of living adjustment (COLA) for all positions in 2025, based on the June-to-June CPI-W, as well as a targeted market adjustment for those positions more than 5% below market. Additionally, it is recommended to revisit wages once the 2024 fiscal year has been closed out, and once the City has a clearer understanding of ongoing revenue sources, no later than June 2025.

Additional information regarding the salary survey will be provided separately.

Please feel free to contact me with any questions or concerns.

CITY OF FIRCREST - ARPA PROGRESS REPORT

GENERAL FUND	2021-2024 Actuals	Remaining Budget	Total Budgeted & Actual
ARPA Funds Received	\$ 1,909,840.00	\$ -	\$ 1,909,840.00
Expenditures			
Assistance Grants (Business, Utility, Rental)	\$ 142,608.90	\$ -	\$ 142,608.90
AEDs for Police Patrol Cars & City Vehicles	36,683.06	-	36,683.06
City COVID-19 Related Expenses (PPE, Laptops, Zoom Licenses)	13,837.89	-	13,837.89
Council Chambers AV System	71,221.39	-	71,221.39
HVAC - CH/Court	16,838.97	-	16,838.97
Police Retention Bonuses	60,000.00	-	60,000.00
Police Signing Bonus	20,000.00	-	20,000.00
City Hall Alarm	18,045.38	-	18,045.38
Electronic Timesheet Program	12,600.00	-	12,600.00
Police Equipment (shields & noise suppressants handguns)	55,609.50	5,563.00	61,172.50
Additional (10th) Police Officer	-	67,612.00	67,612.00
City Hall Columns	-	11,000.00	11,000.00
IS Equipment (Hypervisor Project)	-	5,000.00	5,000.00
Police Vehicle	-	77,290.00	77,290.00
Metal Detector - Court Security	-	5,000.00	5,000.00
Copier & Folding Machine for Court	-	1,350.00	1,350.00
Laptop Replacements for City Staff	-	6,000.00	6,000.00
Website Accessibility Update	-	4,323.00	4,323.00
Website Update	-	6,139.00	6,139.00
Masko Park/Rhody Garden Projects	-	20,000.00	20,000.00
Masko Park & Seabrook Rhody Garden Trails Clean-up	-	10,000.00	10,000.00
IS Equipment - Hypervisor Project - additional funds needed	-	769.00	769.00
Transfer to Water Capital	1,213,000.00	-	1,213,000.00
Total Expenditures	\$ 1,660,445.09	\$ 220,046.00	\$ 1,880,491.09
ARPA Funds Remaining	\$ 249,394.91	\$ 29,348.91	\$ 29,348.91

WATER CAPITAL FUND	2021-2024 Actuals	Remaining Budget	Total Budgeted & Actual
ARPA Funds Received (Transferred from General Fund)	\$ 1,213,000.00	\$ -	\$ 1,213,000.00
Expenditures			
Rose Water Main Project	\$ 143,373.26	\$ -	\$ 143,373.26
Summit Water Main Project	446,010.21	-	446,010.21
Weatheravane Project	1,677.50	-	1,677.50
Water Meter Replacement Project	474,668.58	43,400.00	518,068.58
Princeton Street Service Connections	-	97,950.00	97,950.00
Reservoir Inspection & Cleaning	-	5,920.45	5,920.45
Total Expenditures	\$ 1,065,729.55	\$ 147,270.45	\$ 1,213,000.00
ARPA Funds Remaining	\$ 147,270.45	\$ -	\$ -