

Ward III - Hugh McKean

Sent: Tuesday, September 22, 2015 3:44 PM

To: Mayor -

Cecil Gutierrez; Ward I - Troy Krenning

Cc: Bill Cahill; City Council; Temp

CCMAIL; Saja Hindi

Subject: Re: Weekly Memo

Thanks for making my position clear. I hadn't really considered that I didn't want to discuss it. I just want our City Manager to do his job and give us the information we need so we can actually consider that is the best course to follow. I feel like Alice, down the rabbit hole. We are actually trying to secure the interest of Councilors to bring something to discussion because our city manager has posed this in such a way? Who is in charge around here?! This is unprecedented. I might not need tons of preparation time but I want to make sure that we have the information to which staff have alluded. We also should have information about the current costs of this program, another of your very irksome unfunded mandates, Mayor.

In answer to your earlier email: I had not realized that you felt so impotent in the manner in which this issue was raised and direction given. It is a good lesson that leadership requires a voice and that you have utterly failed that test. I don't mind the issue coming up for a discussion but I would NEVER acquiesce (to use your word) to allowing a City Manager to simply administratively fill a position that was the subject of ANY debate at Council or to pose this in a way that we have to act to keep such an process from taking place. To do so is to abdicate the basic responsibility of this Council, that being the power of the purse. If this were to be done then what would be the result of a few maintenance persons being deleted off the Parks and Recreation payrolls to add the Urban Forester.

If we are to head down that path then why not just bring us the total amount budgeted versus projected revenue, two lines on a single sheet of paper and ask our approval on that basis. How does that help our citizens have a say in their government?

Picking and choosing where you give and retain the power of the elected position you fill is terrible public policy. It means that the weak kneed decisions you make do not necessarily have to be considered and that the final direction, in this case from a vocal majority is somehow lacking due to a lack of courage on your own part. This is not my hill to die upon in terms of providing the services the law requires. That is something that can be done, with proper information given to us by staff (Mr. Cahill) but it cannot and should not be done by caveat.

Looking forward to the discussion.

Hugh

Hugh McKean

Loveland City Council

Ward III
970-581-3754

From: Mayor – Cecil Gutierrez
Sent: Tuesday, September 22, 2015 3:20 PM
To: Ward I – Troy Krenning
Cc: Ward III - Hugh McKean; Bill Cahill; City Council; Temp CCMail
Subject: Re: Weekly Memo

Hi Bill,

I only count three, because Hugh said he didn't want to discuss it. But I will be the fourth, to ensure that the "outspoken minority" have their say. More importantly, this should be brought back as was originally intended. I too want to hear from ATV, but would add that I want to hear from the District Attorney's office as well as the Police Citizens Advisory Board, that recommended the position for the 2015 budget. Where are the coverage gaps that aren't being covered by ATV or the DA's office. I don't need preparation time, I just expect to hear all the pertinent information necessary to make an informed decision. So from my perspective, schedule as soon as time is available.

Cecil Gutierrez

Sent from my iPad

On Sep 22, 2015, at 11:31 AM, Ward I -
Troy Krenning
<Troy.Krenning@cityofloveland.org<mailto:Troy.Krenning@cityofloveland.org>>
wrote:

I count four from the "outspoken minority" and thus please advise when this Topic will be further discussed. I would like time to prepare for Another "interrogation" of the presenters as to how this position will benefit The citizens.

I agree with Fogle, representatives from Alternatives to Violence should be in attendance. And, in anticipation of interrogation, please be prepared to answer how many Colorado police departments have a victim/witness position or be able to explain why those who do not have a position can apparently circumvent the Colorado victim rights amendment.

Also, since the City Manager and Police Chief had made a determination that at least one CSO position is dispensable, be prepared to discuss what will happen to that apparent unnecessary position should the

"outspoken minority" find at least one other councilor who agrees that this new civilian position is unnecessary.

Thank you,

Troy Krenning

Sent from
my iPhone

On Sep 22, 2015, at 7:33 AM, Mayor – Cecil Gutierrez
<Cecil.Gutierrez@cityofloveland.org<mailto:Cecil.Gutierrez@cityofloveland.org>>
wrote:

Bill,

I waited some time before responding to this email. My recollection is different on the Victim-Witness Coordinator position. I don't believe you had clear direction from the Council as a whole that this position should never be filled. The position was questioned by one member of Council with an interrogation of our Police Chief ensuing as to why the services provided by the County weren't sufficient. As this progressed, you pulled the position from the budget with the caveat that it would come back later.

I believe you did this to get the Budget passed in a timely manner. The problem that has come back to haunt you is that the rest of us acquiesced to a minority as that being the solution. This has now been interpreted as "clear direction."

Why did this not come back as you indicated, I asked myself. As I reviewed this past year, it became apparent. After a minority on Council were unhappy with the Evergreen incentive, attacks on that decision of the majority on Council ensued. First we were sued by proxy, and when that didn't work, the removal of the sales tax on food became the next method of neutering that decision. The sales tax on food discussion had the net effect of putting many things on hold, including the Victims-Witness coordinator Position. You would not have been doing your job if you had not held the line until the deadline had passed for getting the issue on the ballot. That would have been the first part of September.

Here in mid-September you have proposed a method of getting this position filled and gave this Council, in your memo, an opportunity to bring this back for discussion. I purposely waited to hear if there were four Councilors who had that desire. At this point, I have only seen three responses, not necessarily asking this be put on an agenda. You gave us until September 25th to respond, but I write this now,

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because I fear we will see a memo from you before then that will retract your proposal as a reaction to an outspoken minority on Council. That seems to be the pattern that has developed over the last couple years. Do not do that!

If there are four who want to discuss this at a future meeting, so be it. If a majority on Council decide at that meeting this should not be a position to be filled, I can live with that. If you don't get four councilors before September 25th, that would indicate to me that a majority of this Council agrees with your method of filling this position, and I can live with that too. Bottom line, you serve the majority. By detracting your proposal, in my opinion, you will have empowered a system of "vocal minority rule." You set the wheels in motion for a decision to be made. Let that decision making process play out, regardless of the outcome. Then you will have "clear direction."

Cecil Gutierrez
Sent from my iPad

From: Bill Cahill <Bill.Cahill@cityofloveland.org>
Date: September 20, 2015 at 7:50:54 PM MDT
To: Ward I - Troy Krenning <Troy.Krenning@cityofloveland.org>
Cc: City Council <CCouncil@cityofloveland.org>, Saja Hindi <hindis@reporter-herald.com>, "Liam G. Weston" <Guchwale@aol.com>, "Temp CCMAIL" <TEMPCC@cityofloveland.org>, Luke Hecker <Luke.Hecker@cityofloveland.org>
Subject: Re: Police positions

Troy,

We will produce this information starting tomorrow, and will be able to supply material for each of your requests.

For the accreditation material, I am asking Police to produce a memo addressing all of the aspects of accreditation you mention, as well as some other information.

I am sending a separate e-mail to you and Council on the victim-witness position.

The civilian positions are recommended in lieu of uniformed positions because they can achieve the result needed (for selected functions) at a lower cost. The Police Staffing and Resource Study of 2012 contained as one of its continuing strategies that Police would strive to use civilians instead of sworn officers where appropriate for that very reason. It included a comparison (in 2012 costs) of using a civilian for accreditation rather than a sergeant, showing the savings.

Thank you.

Bill Cahill
City Manager
Sent from my iPad

On Sep 20, 2015, at 5:16 AM, "Ward I - Troy Krenning" <Troy.Krenning@cityofloveland.org> wrote:

Bill

How much is the City spending on the police chiefs new personal coach?

How many other communities have a civilian running their accreditation program?

How many other agencies in Colorado participate in accreditation?

Please provide data to support this program and its expense.

How many agencies have a victim/witness coordinator?

Will you be able to provide council a job description and salary range.

Same with the police HR position, job description and salary range along with other agencies who provide such a position.

It's clear that you will do as you please but I hope to at least educate the public as to your ongoing effort to increase the size of government with little or no benefit to the community.

Troy Krenning

On Sep 19, 2015, at 11:03 PM, Ward III – Hugh McKean

<Hugh.McKean@cityofloveland.org<mailto:Hugh.McKean@cityofloveland.org>> wrote:

Bill,

I suppose I should tackle the most egregious issue in your memo first, that of your opinion about the Victim-Witness Coordinator position. It is my opinion that your attitude about filling that position administratively by shifting that of a former CSO is insubordination. The direction given to you by Council was clear in our budget meeting in 2014 and only marginally dealt with monetary concerns. Likewise, this year with our budget discussion, the only opportunity we have to delve into personnel issues, we specifically asked for more officers for on the street, one of the primary roles of a CSO. I am not only opposed to such a shift but it is a further example of the kind of tone deafness you seem to be making a hallmark of this part of your career. The manner in which you present your case in terms of not meeting the elements of the VRA, vague as it is, does not give us any data (as per usual) on how much time of an officer would be required to fulfill the work required by the law or what the actual "full array of services" are and what we are currently not getting done. I will not support hearing about this at a Council meeting until you have briefed us via memo on the details and then received the support of Councilors to bring it forward. The amount of time you waste on bringing us half baked, uninformed items is appalling.

The second issue is that of the High Plains Environmental Center (HPEC). I also met with Jim Tolstrup and Paul Mueller and gave them my input of their desire to use some of the funds collected to move their Visitors Center to a more accessible location. I support it. However, as the liaison to the Open Lands Advisory Commission, and considering the nature of that Commission and the history of using those funds without seeking an approval, I think it is very improper to hold a meeting without informing me and even more importantly the chair of the OLAC so that you can help inform their discussion at an early stage. Since this was a meeting that the HPEC called, that is their prerogative, and I hope you realize that in saying it should be at OLAC "procedurally for any City consideration" that you are stating fact, not opinion. Likewise I hope that at whatever decision the OLAC arrives it is not somehow trumped by staff or an "administrative action."

Hugh McKean
Loveland City Council WardIII
970-581-3754