

**CITY OF HELENA**  
**SPECIAL CITY COMMISSION MEETING**  
**January 17, 2020 - 4:00 P.M.**  
**Commission Chambers, City-County Building**  
**316 N. Park Avenue, Helena, MT**

**Time & Place** A special City Commission meeting was held on Monday, January 17, 2020 at 4:00 p.m., in Room 326, City-County Building, 316 N. Park Avenue, Helena, Montana.

**Members Present** Mayor Pro Tem Haladay requested roll be taken. Commissioners Dean, Logan and O'Loughlin replied present. Mayor Collins was excused. Others present included Acting City Manager Knoepke, City Attorney Jodoin, Attorney Jordan Crosby, and Interim City Clerk Clayborn.

**Commission Comments** No Comments were received

**Regular Item** REGULAR ITEM

A. CONSIDERATION OF A COMPLAINT AGAINST ANA CORTEZ; AND PLACING MS. CORTEZ ON ADMINISTRATIVE LEAVE

Report of Outside Counsel City Attorney Jodoin introduced for the record outside counsel Jordan Crosby of Ugrin, Alexander, Zadick and Higgins. Ms. Crosby reported to the commission she was retained as outside counsel by the City in the matter of a complaint against the City Manager. Outside Counsel advised the Commission, referencing the City's Personnel Handbook 1-2.4 allows for a thorough, complete and objective investigation of a complaint of harassment. The Handbook does provide for protecting the privacy of the complaint. Ms. Crosby made advisement the city place City Manager Cortez on paid administrative leave. Ms. Crosby this was not an adverse employment action, meaning not a disciplinary action. Ms. Crosby stated she has reached out the Lilia Tyrell, of Kasting, Kauffman and Mersen in Bozeman, to act as the independent investigator of the complaint.

Discussion Commissioner Logan stated for the record he would be abstaining from the vote.

**Motion** Commissioner Dean moved to place City Manager Cortez on paid administrative leave, pending an independent investigation into the complaint lodged against her. Commissioner O'Loughlin seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Dean voted aye, Commissioner Logan abstained, Commissioner O'Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. **The motion carried, 3-0.**

Public Comment Mayor Pro Tem Haladay asked for public comment

Dr. Gregory Thomas, of Roostech.com, made commentary.

Mayor Pro Tem Haladay stated public comment was narrowed to the single agenda item and was to remain relevant to the specific to this item.

Discussion

Mayor Pro Tem Haladay stated this was a procedural practice per the City's personnel policy and should not be deemed a negative commentary on Manager Cortez.

**Public  
Communications**

PUBLIC COMMUNICATIONS  
None received.

**Adjournment**

There being no further business to come before the City Commission, the meeting adjourned at 4:10 p.m.

**/S/ ANDRES HALADAY**  
MAYOR PRO TEM HALADAY

ATTEST:

**/S/ DANNAI CLAYBORN**  
CLERK OF THE CITY COMMISSION