

1 (2) If the city auditor investigates an allegation of a violation of City Code
2 Chapter 2-7, Article 4 (Code of Ethics) by a City official or employee, not listed in
3 Subsection (1) above, and who is neither a member of the City’s classified municipal
4 civil service system nor of a state civil service system, the city auditor shall prepare
5 a draft investigative report of a substantiated investigation. The draft report shall
6 include any information tending to negate guilt or mitigate the seriousness of the
7 offense.

8 (a) The city auditor shall deliver the draft investigative report to the person
9 who is the subject of the investigation and any person mentioned or referenced
10 as being involved in the alleged inappropriate conduct. The person who is the
11 subject of the investigation or a person mentioned or referenced as being
12 involved in the alleged inappropriate conduct may submit to the city auditor
13 a written response to the draft report by the 20th working day after the person
14 receives the report.

15 (b) The city auditor shall include any written responses received, and
16 deliver the draft report to the city manager. The city manager shall
17 provide written comment on the draft investigative report, including any
18 action that has occurred in response to findings in the draft investigation
19 report by the 10th working day after the city manager receives the report.

20 (c) The city auditor shall include any written comment received from
21 the city manager, and finalize the report.

22 **Part 2.** Section 2-7-27 (*Limit on the Commission’s Jurisdiction*) is amended to read:

23 Notwithstanding any other provision of the City Code, the Ethics Review
24 Commission may not hear or initiate a sworn complaint alleging a violation of
25 Article 4 (*Code of Ethics*) against an employee listed in Section 2-3-5(L)(2),
26 including a member of the City’s classified municipal civil service system or a
27 member of a state civil service system.

