

Officer Isaac L. Botello, #0114
San Antonio Police Department
San Antonio, Texas

CITY OF
SAN ANTONIO HR
JUL13 '18 1:12PM

Fire Fighters' and Police Officers' Civil Service Commission
111 Soledad, Suite 123
San Antonio, Texas 78205

AGREED SUSPENSION

Commissioners and Officer Isaac L. Botello:

WHEREAS, Officer Isaac L. Botello, pursuant to Article XXVIII, Section 2 of the Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association, was served on May 19, 2018, with a three-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Botello was given an opportunity to rebut those charges being brought against him to Police Chief William P. McManus; and

WHEREAS, said opportunity was exercised by Officer Botello; and

WHEREAS, Officer Botello and Chief McManus have agreed that the discipline in this matter shall be a three-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Botello shall be suspended without pay from the San Antonio Police Department for a period of three days, commencing on July 11, 2018, and ending on July 13, 2018. Should Officer Botello not be involved in a chargeable traffic accident in the year following February 25, 2018, upon application by Officer Botello within two weeks of such date, and approval by the Chief of Police, two days' pay and benefits will be returned to Officer Botello. Officer Botello waives any rights to appeal this Agreed Suspension and agrees no administrative or judicial body shall have power to review this Agreed Suspension or alter the terms of this agreement.

Officer Botello has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters' and Police Officers' Civil Service Commission Rules, said rules having been adopted on February 23, 1998, and thereafter from time to time amended, by the Fire Fighters' and Police Officers' Civil Service Commission as the Civil Service Rules for the Fire and Police Departments of the City of San Antonio. The particular civil service rules violated by Officer Botello and grounds for suspension are as follows:

- (12) Violation of an applicable fire or police department rule or special order.

LEGAL ADVISOR'S OFFICE

JUL 12 2018

SAN ANTONIO POLICE DEPARTMENT

The Rules and Regulations and Procedures of the San Antonio Police Department which Officer Botello has violated are as follows:

RULE 3.18 – CITY EQUIPMENT/PROPERTY (C) SAFE OPERATION OF VEHICLES: City vehicles will be operated in a safe manner and in compliance with all traffic laws.

The factual basis for the instant disciplinary suspension is as follows:

On or about February 25, 2018, at approximately 9:32 p.m., while on duty and operating a city-owned vehicle in the 7100 block of Five Palms Drive, Officer Isaac L. Botello negligently struck a vehicle.

The level of this suspension is based upon Officer Botello's cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.17 of the San Antonio Police Department General Manual.

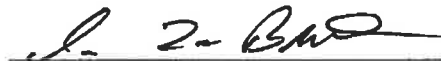
A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

AGREED TO BY: WILLIAM P. MCMANUS JUN 25 2018
WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT
DATE

ISAAC L. BOTELLO 7-11-18 2018
OFFICER ISAAC L. BOTELLO, #0114
SAN ANTONIO POLICE DEPARTMENT
DATE TIME

I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of the instant suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio requesting either arbitration or the hearing of my appeal by the Fire Fighters' and Police Officers' Civil Service Commission. I acknowledge that I have been informed that if I appeal to a hearing examiner/arbitrator, I waive all rights to appeal to a district court except as provided by subsection 143.057(j) of the Texas Local Government Code. I also acknowledge that I have been informed that my right to appeal the decision of a hearing examiner/arbitrator to district court pursuant to section 143.057 of the Texas Local Government Code may have been modified by the provisions of article 28 of the current Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police

Officers' Association. I further acknowledge that in light of my entry into this Agreed Suspension, I shall have no right to appeal said suspension nor will any administrative or judicial body have power to review same or alter its terms. I do hereby waive any and all rights to appeal said suspension and no administrative or judicial body shall have power to review same or alter its terms.



OFFICER ISAAC L. BOTELLO, #0114
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

Mr. Vaughan 4047
[Signature] 3042

TIME: 8:05 pm

DATE: 7-11-18

TIME: 2005

DATE: 07/11/18

FILED on this the 13th day of July, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.



DIRECTOR, FIRE FIGHTERS' AND POLICE
OFFICERS' CIVIL SERVICE COMMISSION

CITY OF

SAN ANTONIO HR

JUL 13 '18 1:12PM

**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**

CITY OF


SAN ANTONIO HR
JUL13 '18 1:12PM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Isaac L. Botello, #0114

UNIT OF ASSIGNMENT: SPT

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	06	25	18	07	11	18	07	13	18

NARRATIVE REMARKS: Three-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE


DEPARTMENT HEAD

7-11-18
DATE

DATE

LEGAL ADVISOR'S OFFICE

JUL 12 2018

SAN ANTONIO POLICE DEPARTMENT

LEAVE FORFEITURE FOR SUSPENSION REQUEST

CITY OF
SAN ANTONIO HR
JUL 13 '18 1:12PM

To: Chief of Police

From: Botello, Isaac
Officer's Name

114
Badge Number

Date: 7-11-18

Copies to: Accounting, Budget and Personnel, Pension Board, File

TYPE OR PRINT ONLY- Use Ink

I, ISAAC BOTELLO, hereby agree to the 3 day disciplinary
(Print Name)

suspension received on 7-11-18 and request to forfeit leave time in lieu of
serving the disciplinary suspension.

Type of leave forfeited: ☒ Vacation
☐ Compensatory Time
☐ Holiday
☐ Bonus Day


Officer's Signature

7-11-18
Date

Request Denied/Approved


Chief of Police

07/12/18
Date

The Chief of Police is not prohibited from denying this request.

LEGAL ADVISOR'S OFFICE

JUL 12 2018

SAN ANTONIO POLICE DEPARTMENT

San Antonio Police Department
SAPD Form 61-LF (06/05)