

Officer John J. Mendoza, #0691
San Antonio Police Department
San Antonio, Texas

CITY OF
SAN ANTONIO HR
NOV 08 3:42PM

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

AGREED SUSPENSION

Commissioners and Officer John J. Mendoza:

WHEREAS, Officer John J. Mendoza, 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 October 5, 2018, with a three-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Mendoza 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 Mendoza; and

WHEREAS, Officer Mendoza 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 Mendoza shall be suspended without pay from the San Antonio Police Department for a period of three days, commencing on November 30, 2018, and ending on December 2, 2018. Officer Mendoza 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 Mendoza 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 Mendoza and grounds for suspension are as follows:

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

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

LEGAL ADVISOR'S OFFICE

NOV 08 2018


SAN ANTONIO POLICE DEPARTMENT

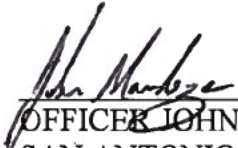
PROCEDURE 905 - OFF-DUTY AND OUTSIDE EMPLOYMENT (.05) OUTSIDE EMPLOYMENT (D) EMPLOYMENT PERMIT (1) Officers who wish to engage in outside employment must first submit an *Employment Permit* in the SAPD Off-Duty Work Permit System. The SAPD Off-Duty Work Permit System may be accessed in SAPDWeb, then choose Databases/Systems, then SAPD. The system may also be accessed through www.sanantonio.gov, then Telecommuting (at the bottom of the page), then SAPD Off-Duty Work Permits. Forward all permits through the chain-of-command to the Chief of Staff.

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

During an investigation of an Administrative Review of an officer-involved [REDACTED] violence incident, it was discovered that Officer John J. Mendoza, #0691 (SPB) had been working at Mama Margie's Mexican Restaurants located at 9950 IH 10 and at 7335 S. Zarzamora at least 28 separate times from January 7, 2018 thru July 25, 2018 without an approved Employment Permit. The Administration alleges Officer Mendoza did not acquire an approved Employment Permit to engage in outside employment at Mama Margie's Mexican Restaurants.


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

AGREED TO BY:  NOV 02 2018
 WILLIAM P. MCMANUS _____ DATE _____
 CHIEF OF POLICE
 SAN ANTONIO POLICE DEPARTMENT

 11/6/18, 2018 1650
 OFFICER JOHN J. MENDOZA, #0691 _____ DATE _____ TIME _____
 SAN ANTONIO POLICE DEPARTMENT

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 this 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 JOHN J. MENDOZA, #0691
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

George Ruchman #3362 TIME: 1650 DATE: 11-6-18
Don Yols TIME: 1650 DATE: 11-6-18

FILED on this the 8th day of Nov, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

CITY OF SAN ANTONIO
NOTICE OF SUSPENSION


CITY OF
SAN ANTONIO HR
NOV 08 '18 3:42PM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer John J. Mendoza, #0691

UNIT OF ASSIGNMENT: SPB

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	11	02	18	11	30	18	12	02	18

NARRATIVE REMARKS: Agreed Three-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE

 11/6/18
DATE


DEPARTMENT HEAD

NOV 02 2018
DATE

LEGAL ADVISOR'S OFFICE
NOV 08 2018
SAN ANTONIO POLICE DEPARTMENT