

San Bernardino leader broke terms of \$750,000 settlement, former city manager says

Andrea Miller accuses Sandra Ibarra of making defamatory comments about her job performance on Facebook



New San Bernardino city council member Sandra Ibarra listens to a speaker during the public comments portion during a meeting of the San Bernardino City Council Friday evening December 21, 2018. Following a closed session of the city council they decided to take no action against Miller Friday night. (Photo by Will Lester, Inland Valley Daily Bulletin/SCNG)

By **BRIAN WHITEHEAD** | bwhitehead@scng.com | San Bernardino Sun

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Three weeks after San Bernardino agreed to pay former City Manager Andrea Miller \$750,000 to settle her breach-of-contract lawsuit against the city, Councilwoman Sandra Ibarra broke a provision of the agreement by making disparaging comments about her job performance on Facebook, Miller alleges in a claim filed with the city late last month.

Reached March 25, about 10 months after Ibarra and a majority of council members fired Miller without cause, the settlement agreement included a joint statement clarifying that Miller was let go “because the city wanted to go in a new direction.”

The statement was to be the only public comment from either side on the case.

Around April 15, however, according to screenshots included in the claim, Ibarra made defamatory comments about Miller on Facebook, writing in part: “The truth always prevails and for what it’s worth, those comments made by the City are false. I stand behind my vote of letting Andrea go, just as I do with others who aren’t performing and aren’t letting the city move forward.”

Miller claims the comment, which appears to be a response to another post, harms her reputation and is untrue. The former top administrator accuses Ibarra, who called for a review of her contract upon being sworn in as 2nd Ward councilwoman in December 2018, of disparaging her job performance in two other posts.

According to the claim, Ibarra attempted to hide, conceal and destroy the defamatory posts after Miller’s attorney, Bradley Gage, requested her comments be preserved.

Gage calls Ibarra’s actions “a continuing act of discrimination, harassment and retaliation” on his client’s age, gender and past legal actions against the city.

Elected officials are expected to discuss the claim with legal counsel in closed session Wednesday, May 6.

In her hostile workplace suit, Miller alleged that male decision-makers who took office in late 2018 began “a concerted effort” to remove her as city manager.

As a result, elected officials repeatedly interfered with her ability to lead the city and undermined her authority, she said.

Miller was suspended on April 3, 2019, and fired May 29.

Ibarra and council members Theodore Sanchez, Juan Figueroa, Bessine Richard and Henry Nickel voted for her dismissal.

The \$750,000 settlement ended Miller’s claims without admission of wrongdoing by the city.