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Doral city clerk files lawsuit over councilman

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After months of waiting for city officials to address a harassment complaint, Doral City Clerk Barbara Herrera has taken matters into her own hands.

She filed a lawsuit Thursday accusing Councilman Pete Cabrera of assault, slander and causing her emotional distress.

Herrera also filed a complaint with the Equal Employment Opportunity Commission, saying Cabrera discriminated against her because of her gender, and has retaliated against her since she reported the harassment in January.

The lawsuit is the latest episode in a series of squabbles in the city since December, causing a rift between city employees and council members.

Since January, employees have filed seven "hostile work environment" complaints against Cabrera and Councilwoman Sandra Ruiz.

During council meetings, Cabrera has commented about "hostility in the air" at Doral City Hall. He has pointed out concerns over what he calls a "a pattern of behavior" in which he says certain matters are circumvented by filing complaints.

"I was elected to serve the people," Cabrera said in response to a question about the lawsuit. "I'm not going to allow intimidation to stop me from doing that."

The suit stems from a January incident when Herrera told Cabrera he would have to pay \$473.62 for an "extensive" public records request because it did not relate to his duties as a city official. The request included a listing of travel expenses and credit card charges by council members and city officials during the past 18 months.

"Cabrera became irate and felt that as a council member he had the right to be treated differently than other members of the public that he serves," the lawsuit states.

The lawsuit states that Cabrera hovered over Herrera, questioning her ethics and badgering her for nearly an hour as he demanded she give him a reason for her decision.

Herrera filed a complaint for harassment. An outside attorney investigated and found "deep-rooted" conflicts in the work environment, but did not recommend any action be taken.

Three days after filing the complaint -- in a move that Herrera refers to as retaliatory -- Cabrera issued a "Formal Complaint and Request for Termination" of Herrera.

Cabrera says Herrera failed to perform her duties by interfering with a council member's ability to fulfill his charter responsibilities.

"I have requested information related to budget, policy and/or need for legislation due to inconsistent and detrimental processes being followed by staff, and yet I have been requested to pay for such information," Cabrera wrote in a June 26 e-mail addressed to the city attorney and council members.

Since then, there have been a number of e-mail exchanges and public accusations against Herrera and other city officials -- all women, Herrera said.

Cabrera sent an e-mail to City Manager Yvonne Soler-McKinley -- copied to the state attorney's office and Miami-Dade County's ethics investigator -- requesting that she discipline her staff.

"All I have seen, from my point of view, is politics, bureaucracy, inefficiency, hostility, complaints, threats of lawsuits . . . fear in the workplace, favoritism and so on," he wrote.

Herrera calls that slanderous -- and says it "has to stop."

"He's accusing me of malfeasance when I was following the law to the letter," she said.

"He's trying to bully me out of a job."

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