

Gautho, Julia

From: Kevin Maguire <kmaguire831@gmail.com>
Sent: Wednesday, June 25, 2025 3:34 PM
To: City Clerk; Gautho, Julia
Subject: 6.26.25 City Council Meeting Agenda Item 5: Oral Communications: Follow-Up: Continued Harassment and Request for Council Action against Councilmember Orbach
Attachments: 5.28.25 Harassment from David Morris on Facebook.png; IMG_2594.PNG; IMG_2592.PNG; image.png; IMG_2593.PNG

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Miss Gautho, Can you please include this in the agenda packet, under Agenda Item 5 Oral Communications.

Thank you
Kevin Maguire

----- Forwarded message -----

From: Kevin Maguire <kmaguire831@gmail.com>
Date: Wed, Jun 25, 2025 at 2:53 PM
Subject: Follow-Up: Continued Harassment and Request for Council Action against Councilmember Orbach
To: <jclarke@ci.capitola.ca.us>, <MOrbach@ci.capitola.ca.us>, Gautho, Julia <jgautho@ci.capitola.ca.us>, Goldstein, Jamie (jgoldstein@ci.capitola.ca.us) <jgoldstein@ci.capitola.ca.us>, <citycouncil@ci.capitola.ca.us>
Cc: City Clerk <cityclerk@ci.capitola.ca.us>, City Attorney <cityattorney@santaclaraca.gov>, Melanie Tardell <melanie@signifiedlaw.com>, <SWestman@ci.capitola.ca.us>, <GJensen@ci.capitola.ca.us>, <mmorgan@ci.capitola.ca.us>, Ryan, Sarah (sryan@ci.capitola.ca.us) <sryan@ci.capitola.ca.us>

I am following up on the formal complaint I submitted regarding Councilmember Melinda Orbach's conduct during the April 17, 2025, City Council meeting. As noted, she publicly accused me — by name — of harassment and threatening behavior without evidence, without due process, and without ever attempting to speak with me directly. These remarks, made from the dais and broadcast to the community, initiated a serious and ongoing impact on my personal well-being. I spoke with Captain Ryan for about an hour about the situation, and there was never any complaints filed or investigations conducted. I canvassed with another member of the community who will 100% collaborate with the events that took place, no one seek out where Councilmember Orbach lived, no one asked any neighbors to point out her place of residents.

Since that meeting, the harm has continued. A community member, **David Morris**, (See attached screenshots) has been persistently repeating this false narrative, now labeling me as “the alleged stalker” in public forums. These inflammatory comments, directly tied to the accusations made by Councilmember Orbach, have escalated the reputational harm and further **damaged my mental and emotional health**.

The **cumulative effects** have been significant:

- **Chronic stress and anxiety**
- **Disrupted sleep and emotional fatigue**
- **Loss of focus and productivity at work**
- A growing sense of **isolation and hesitancy to participate** in civic life — something that has always meant a great deal to me

Despite multiple respectful emails and a public offer to meet and resolve this matter constructively, I have received **no response at all** from Councilmember Orbach. This continued silence — alongside the ongoing public defamation — makes it clear that the issue will not resolve itself.

Because of this, I am **copying legal counsel on this message**, not as a threat, but to underscore that this situation now meets the threshold of actionable harm. I have been advised to document and preserve all communication and to explore remedies if the City does not act.

I remain hopeful that the Council will choose to demonstrate leadership and accountability — and that Councilmember Orbach will offer a **public apology** for the harm caused. Without that, the damage will persist — and so will the question of whether this City protects residents from abuse of power.

I am again requesting that the Council take the following actions:

1. A **formal Resolution of Censure** for Councilmember Orbach
2. **Removal from committee assignments or ceremonial roles** until this matter is addressed
3. Participation in **civility and ethics training** as part of restoring public trust
4. A clear **public apology from the dias** by Councilmember Orbach to acknowledge the harm done
5. A **Council-initiated review of the Code of Conduct enforcement process**

Capitola is better than this. We deserve a civic culture where residents can speak, participate, and advocate without fear of public smearing or retaliation from elected officials.

With the next Council meeting scheduled for **June 26**, and no additional meeting until **July 24**, I respectfully request that this matter be **acknowledged on the public record during the June 26 meeting**, and that I receive a **written response or update from the City no later than July 3, 2025**.

I believe this is a reasonable and necessary step toward transparency, accountability, and restoring trust — and it avoids further delays that could prolong the harm already caused.

Thank you for your time and your attention to this serious matter. I look forward to your response.

Sincerely,

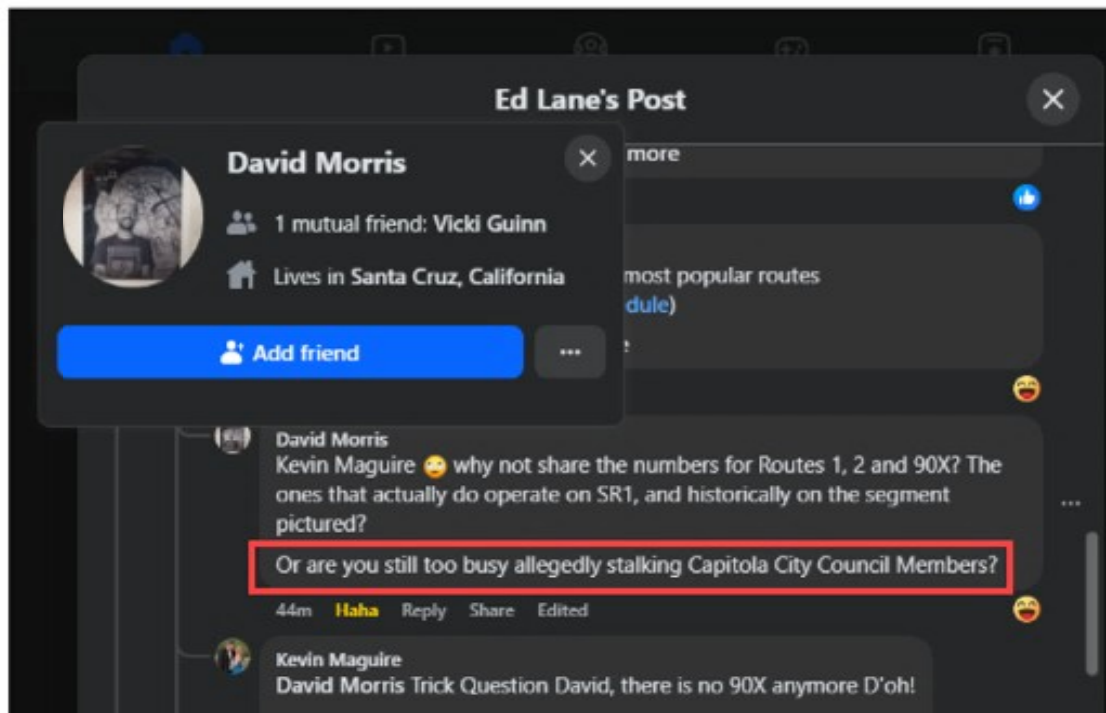
Kevin Maguire

kmaguire831@gmail.com

831.246.3900

Lifelong Capitola Resident

CC: Melanie Tardell, Legal Advisor



Say there are 334 workers from Watsonville that need to be at work by 8 am in Santa Cruz.

Train max capacity is 234 (116 sitting / 118 standing)

234 could take the 7 am train get to SC by 740 and have 20 min walk or transfer to get to work

The other 100 would have to take the 630 am train.

And those people would add 15-30 mins to walk to the stati... See more

6m Like Reply

1 🤔



David Morris All-star contributor

You're funny, [Kevin Maguire](#).

Why should anyone trust your math, when we can't trust you to not allegedly stalk and harass one or more members of the



David Morris

216 friends • 1 mutual

 **Add friend**

...

Posts

Photos

Videos

Details

 Lives in **Santa Cruz, California**

 From **Santa Cruz, California**

... See David's About Info

Friends

216 (1 mutual)



Kevin's Post



51m Like Reply Share

2

View all 2 replies



Paul Doherty All-star contributor

No train! It's a never ending money pit.

1h Like Reply Share



View all 4 replies



David Morris All-star contributor

🙄 OP was publicly accused by a Capitola City Council Member of alleged stalking during their 4/17/2025 meeting. How grounded!

This poll isn't reality-based or representative of any efforts by SCCRTC (a State agency, not the County of Santa Cruz).

<https://santacruzlocal.org/.../capitola-council-rejects.../>



SANTACRUZLOCAL.ORG

Capitola council rejects Park Ave. bike path proposal - Santa Cruz Local



1h Like Reply Share Edited 3



Kevin Maguire Author Rising contributor +1

David Morris to be clear, continuing to repeat unproven accusations, especially ones publicly stated without evidence, isn't just spreading a false narrative; it borders on slander and serves to bully and silence community members who are simply participating in the democratic process.

During the April 17th Capitola City Council meeting, Councilmember Orbach did make a public statement accusing me of what she described as "wandering around a council member's neighborhood asking where they live," and equating that with "physically threatening behavior" and "showing up to someone's work trying to get them fired." She specifically named me — without any investigation, evidence, or direct conversation.

This was in response to a group of us canvassing the neighborhood for the upcoming council meeting, handing out flyers. I was with another citizen, and the neighbors I met will backup the respectful, civil nature of our canvassing.

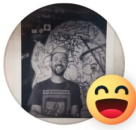
Let me be clear:

I never asked for anyone's address



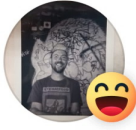
Comment as Kevin Maguire





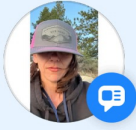
David Morris reacted to your comment: "David Morris there is a formal...." ...

1m · 1 Reaction



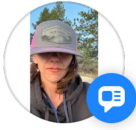
David Morris reacted to your comment: "Trains... please help me with my..." ...

12m · 1 Reaction · 1 Reply



Trisha Monack shared **ADHD Explained**'s post. ...

27m



Trisha Monack posted a link: "Shit went to capittola this last..." ...

1h



Jeffrey Bergamini, Glenn Sweetwood and 7 others like your comment: "A..." ...

37m · 9 Reactions



Amy Eimer also commented on her link. ...