
Item 9B code of conduct

From Jacqueline Chen <cjchen221@gmail.com>
Date Wed 9/24/2025 10:30 PM
To City Council <citycouncil@ci.capitola.ca.us>

Dear Capitola City Council,

I am writing to express strong concern about the Council's decision about a code of conduct complaint against Council member Melinda Orbach.

The actions taken by this individual citizen were perceived to Councilmember Orbach and her family as threatening. Council members have no formal means of defending themselves against suspicious behavior, implied threats, or intimidation that may not meet the threshold of criminal conduct. In this case, Council member Orbach relied on her voice to request for boundaries and protect her family to the best of her ability.

Council member Orbach publicly apologized at the June council meeting for naming an individual, and she has consistently sought to de-escalate by offering mediation. In fact, both parties are currently engaging in mediation through the Conflict Resolution Center, which is the most appropriate and constructive path forward. By scheduling this hearing, the Council complicates resolution of the original conflict. Moving forward with this hearing creates additional liability for both the City and Council member Orbach should this situation result in litigation tied to the complainant's tort claim for defamation. Rather than protecting the City or resolving conflict, this approach exposes Capitola to further division and legal risk.

I strongly urge the Council to dismiss this complaint on September 25. Capitola deserves leaders who prioritize fairness, safety, and mediation.

Respectfully,

Jacqueline Chen