

Gautho, Julia

From: Leila Kramer <kramer@baymoon.com>
Sent: Friday, September 19, 2025 8:09 PM
To: City Council
Subject: Possible Spam 9B Code of Conduct Complaint

Dear Capitola City Council,

I am writing to express my deep concern about the Council's decision to agendize a code of conduct complaint against Councilmember Melinda Orbach. This action sets a troubling precedent for how the City responds to conflicts between councilmembers and creates unnecessary risk for Capitola.

The actions taken by the individual were perceived by Councilmember Orbach and her family as threatening. Councilmembers 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, Councilmember Orbach relied on the only tool available to her—her voice—to establish boundaries and protect her family.

Councilmember Orbach publicly apologized at the June council meeting for naming the 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 undermines that process, complicates resolution of the original conflict, and risks subjecting the complainant to further criticism for his actions.

Finally, moving forward with this hearing creates additional liability for both the City and

Councilmember 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.

Therefore, I strongly urge the Council to dismiss this complaint on September 25. Capitola deserves leaders who prioritize fairness, safety, and mediation—not those who turn conflict into a public spectacle that undermines trust and accountability.

Respectfully,

Leila Kramer