

**Gautho, Julia**

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**From:** Yvette Brooks <ybrooks916@gmail.com>  
**Sent:** Monday, September 22, 2025 3:50 PM  
**To:** City Council  
**Subject:** [PDF] Request to Dismiss Code of Conduct Complaint Against Council Member Orbach  
**Attachments:** Council Email.pdf

Please see attached letter for item 9B.

**Subject:** Request to Dismiss Code of Conduct Complaint Against Council Member Orbach

**To:** citycouncil@ci.capitola.ca.us

Dear Capitola City Council,

I write today with profound disappointment and deep concern as a Capitola resident, a mother, a constituent, and a former two-time Mayor who served six years on this Council. I cannot remain silent while the Council allows a baseless complaint to rise to the level of a public agenda item. To consider placing Council Member Melinda Orbach on trial for speaking openly about harassment and intimidation is not only absurd, it is an insult to every resident who expects their leaders to stand up for civil discourse, safety, and respect.

The Capitola City Council and Commissioner Code of Conduct gives you clear authority to act in this moment. Section 8.4.3(b)(i) states: *“Where the Council determines that no violation occurred or that only a trivial violation occurred, or that the complaint does not have merit for any other reason, the Council may dismiss the complaint.”*

This case meets that standard. A **trivial violation** is by definition a minor lapse that is unintentional, quickly acknowledged, and corrected without lasting harm. The only possible violation here is that Council Member Orbach named an individual while speaking about threatening behavior. She immediately admitted that this was a mistake, pledged not to repeat it, and has since worked tirelessly in good faith to resolve the matter. She did not slander, insult, or attack character. She stated facts about behavior that she experienced as threatening and set boundaries to protect her family. By every measure of the evidence and the timeline, this is the very definition of a trivial violation, if it is a violation at all.

Council Member Orbach’s good faith efforts are undeniable:

- She offered mediation through the Conflict Resolution Center three separate times, with her third offer accepted on July 31, 2025.
- She engaged with the Center through August and September to set dates despite repeated scheduling delays. An intake has been completed and a face to face mediation is scheduled for October 7.
- She has endured months of online vitriol, threats of litigation, and calls for her removal, all while continuing to pursue a peaceful and constructive resolution.
- She has publicly acknowledged her mistake and pledged not to repeat it.

Despite these efforts, the complainant escalated by filing a tort claim against her and the City. Instead of supporting a colleague who is demonstrating accountability and restraint, this Council

is legitimizing harassment by agendizing a claim that your own Code of Conduct empowers you to dismiss.

What troubles me most is what this says about our city's priorities. In times when Capitola families are losing children to suicide, when immigrant neighbors live in fear of deportation, when crime is rising, when seniors are losing vital services, and when we should be preparing for the next flood, the Council is instead consumed with a trivial complaint. This is not leadership. It is political theater at the expense of our community.

As a woman and as someone who has endured the harsh scrutiny of public office, I know how brutal this type of attack feels. Too many women who have served on this Council have faced the same hostility. Earlier this year, Council Member Alexander Pedersen resigned under relentless harassment from the very individuals now targeting Council Member Orbach. This pattern must end.

I regret that I cannot attend the September 25 meeting due to a longstanding commitment, but I wish I could be there to deliver these words in person. Please accept this letter in the spirit of service to Capitola. Council Member Orbach acknowledged her mistake, sought mediation, and has done everything asked of her. The Code of Conduct gives you the authority to dismiss complaints when they are trivial or without merit. That is exactly the situation here.

I urge you to act decisively. Dismiss this complaint under Section 8.4.3(b)(i). Show our community that Capitola stands for fairness, truth, and unity, not intimidation. Give residents hope that their leaders will focus on the issues that truly matter. Anything less will betray the values we swore to uphold.

Respectfully,  
Yvette Brooks  
Former Mayor of Capitola

Resident, Constituent, and Mother