

Capitola City Council

Agenda Report

Meeting: September 25, 2025

From: City Manager

Subject: Code of Conduct Complaint



Recommended Action: Determine whether the complaint filed by Kevin Maquire against Council Member Orbach on June 12, 2025, should be added to a future agenda for further discussion and determination, or dismissed for the reasons stated in Administrative Policy I-42.

Background: On June 12, 2025, Kevin Maquire submitted a Code of Conduct complaint against Councilmember Orbach. The complaint is included as Attachment 1. On September 11th, Council Member Westman requested a public meeting regarding the Code of Conduct complaint.

The City offered to fund mediation between the two parties. Staff engaged the Conflict Resolution Center to mediate.

Discussion: City Council adopted Administrative Policy I-42 (Attachment 2) on September 10, 2020. That Policy outlines a procedure to consider complaints.

Section 8.4.3(a) of the Code of Conduct provides that, on September 25th, the City Council should “determine whether the complaint should be dismissed for the reasons stated in section (b)(i)¹, below, or added to a future agenda for further discussion and determination.”

Should the City Council determine the complaint should be added to a future agenda, Staff requests Council identify a preferred meeting date.

Fiscal Impact: No funds have been expended to date. Staff estimates mediation costs, should any be incurred, will be less than \$750.

Attachments:

1. Code of Conduct Complaint
2. Administrative Policy I-42
3. Public Comment Received Prior to Agenda Publication

Report Prepared By: Rosie Wyatt, Deputy City Clerk

Reviewed By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

¹ Section (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.”