



Special City Council Meeting Agenda
City Council

<i>Mark Turner</i>	-	<i>Mayor</i>
<i>Yvonne Martínez Beltrán</i>	-	<i>Mayor Pro Tem</i>
<i>Miriam Vega</i>	-	<i>Council Member</i>
<i>Marilyn Librers</i>	-	<i>Council Member</i>
<i>Soraida Iwanaga</i>	-	<i>Council Member</i>

Tuesday, July 22, 2025

6:00 PM

Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037

Morgan Hill City Council meetings are held in person with the option for the public to attend in-person or participate by teleconference/video conference. Information on how the public may observe and participate in the meeting is below.

MEETING PARTICIPATION

Morgan Hill City Council meetings are held in person. The community may attend in person or via Zoom (video/teleconference). This meeting will be live-streamed on the City's Facebook page.

As a courtesy, and technology permitting, members of the public may attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

Those wishing to participate in the meetings remotely must register in advance at <https://bit.ly/CityCouncilZoomRegistration>. Additionally, Zoom participants must be running the latest version or will be required to update to the latest version before being able to join the meeting remotely.

Remote participation is also available by calling (669) 900-9128 and entering webinar id: 873 3200 8380#. Dial *9 to raise your hand, and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

PUBLIC COMMENT

Public comment may be offered verbally at the meeting or in writing before the meeting.

Those attending remotely may only offer public comment for items on the agenda.

Public comment will be heard from those attending in person first, with the submission of a speaker card. Once that is complete, we will move to those on Zoom who have their hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Written public comment may be submitted to the City Clerk:

- In person at the City Council Meeting;
- Via email to ccpubliccomment@morganhill.ca.gov; or
- Hand delivered or mailed to the City Clerk at 17575 Peak Avenue, Morgan Hill, CA 95037

Please email your comments to the City Clerk no later than 3:00 p.m. on Monday (the day before the Special City Council meeting) so that your comments can be submitted to the members of the City Council with sufficient time to review them. You may continue to provide written comments up to noon on Tuesday (the day of the meeting), although Council Members may not have sufficient time to review them before the meeting. Public comments submitted to the City Clerk after noon (12:00 p.m.) the day of the meeting will be provided to the City Council as time allows.

Written comments WILL NOT be read aloud during the City Council Meeting. Please note that written comments are posted on the City's website. It is recommended that you do not include any personal information that you do not want to be posted on the web. Please be advised that communications directed to the City Council are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions and will be printed/posted as submitted.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259 or by email at cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two full business days before the start of the meeting.

SUPPLEMENTS

Correspondence received before posting the agenda.

Correspondence received after posting the agenda.

JULY 7, 2025 SPECIAL CITY COUNCIL MEETING CLOSED SESSION REPORT OUT

The City Council took the following actions on a 3-0 vote (Mayor Turner and Mayor Pro Tem Martinez Beltran did not participate):

1. They waived the attorney-client and work product privileges for the limited purpose of responding to Public Records Act requests for the attached report, and directed staff to make the report public without redaction (except for legally required redactions to the attached police report).
2. They voted to refer the report to the Fair Political Practices Commission for further review.
3. They voted to refer the report to the Civil Grand Jury for further review.
4. They requested a session with a consultant to discuss the functioning of the City Council.
5. In light of the totality of the circumstances, the Council voted to schedule a special meeting on July 22, 2025, at 6:00 pm. to present the report in open session. The City's retained counsel, Shelline K. Bennett from the law firm of Liebert, Cassidy, Whitmore, will make a presentation.

PROCEDURAL OVERVIEW FOR THIS AGENDA

To ensure a clear and orderly process, the following procedures will be followed for this agenda:

1. The City Attorney will run the meeting.
2. Outside Counsel, Shelline K. Bennett of Liebert, Cassidy, Whitmore, will provide a presentation.
3. Mayor Pro Tem Martínez Beltrán and Mayor Turner will be allowed seven minutes each to comment.
4. The public will be allowed one minute each to comment.
5. Council Members will be allowed five minutes each to comment.
6. No questions from the Mayor, Council, or community will be allowed.

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

OTHER BUSINESS

1. Receive Report Regarding the Complaint of Mayor Pro Tem Yvonne Martínez Beltrán

Recommendation:

1. Receive the Report from Outside Counsel
2. Receive Response from Mayor Pro Tem Martinez Beltran (7 Minutes)
3. Receive Response from Mayor Turner (7 Minutes)
4. Receive Public Comment (1 Minute Each)
5. Receive Council Comments (5 Minutes Each)

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item described in the notice of this meeting during consideration of that item. If you wish to address the Council on any item on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk before the City Council discussion on the item. You are not required to give your name on the speaker card to speak to the Council, but it is very helpful. When you are called, proceed to the podium, and the Mayor will recognize you.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may request an item on the agenda for a future City Council meeting. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.

July 22, 2025

SUSTAINABLE MORGAN HILL



Vision

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community.

Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

Strategic Priorities 2024-2025

- Fiscal Sustainability
- Affordable Housing and Homelessness
- Community Engagement
- Economic Development and Tourism
- Transportation
- Healthy Community

City Council Ongoing Priorities

- Enhancing Public Safety and Quality of Life
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining and Enhancing Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advocating for Local, Regional, and State Legislative Initiatives

From: [Yvonne Martinez Beltran](#)
To: [Shelline K. Bennett](#); [Christina Turner](#)
Cc: [Donald Larkin](#); [Cynthia Hasson](#); [Michael Horta](#); [Karen Kramer](#)
Subject: Re: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda
Date: Monday, July 14, 2025 11:19:17 AM

Dear Members of the Morgan Hill City Council,

I am writing to inquire if the Special "Open" Meeting that I requested on three separate occasions- first by letter and twice in person was incorrectly scheduled during Council summer recess? The Brown Act prohibits discussing these types of internal complaints against the Mayor or any member of the City Council in executive session because complaints against public officials must be discussed in public. Complaints against public officials and related investigation reports are public documents. The Anticipated Litigation item on the June 18, 2025 agenda, using my internal complaint as the excuse, appears to be nothing more than an attempt to circumvent the public transparency required under the Brown Act by manufacturing some threat of litigation.

As you are aware, I did not attend the closed sessions because as I stated many times they violated the Brown Act- not because of a conflict. Originally, the City planned to have the Mayor attend, until I made it clear the complaint that Mayor Mark Turner physically and verbally assaulted me and has engaged in other harassing and retaliatory behavior against me for an extended period of time and he was conflicted.

The investigation process itself lacks transparency and appears designed to minimize serious misconduct by Mayor Mark Turner. I hope my colleagues can see delayed release of the report, meetings scheduled during the planned Council recess, improperly held closed sessions, and the failure to report council actions can obstruct public accountability.

Finally, I am unable to attend the "open" meeting due to a planned family vacation with my husband and children. Since Council is in a planned recess, I respectfully request that this meeting be rescheduled to a date after August 20 when Council reconvenes. The public deserves a full, fair, and transparent process.

Thank you,

Yvonne Martínez Beltrán

Mayor Pro Tem

From: Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>
Sent: Wednesday, June 18, 2025 1:23 AM
To: Shelline K. Bennett <sbennett@lcwlegal.com>; Christina Turner <Christina.Turner@morganhill.ca.gov>
Cc: Donald Larkin <Donald.Larkin@morganhill.ca.gov>; Cynthia Hasson <Cynthia.Hasson@morganhill.ca.gov>; Michael Horta <michael.horta@morganhill.ca.gov>; Karen Kramer <karen@kramerlaw.net>
Subject: Re: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda

Dear Ms. Bennett,

Thank you for your message, however there is nothing to discuss. This matter is simply not appropriate for closed session.

Sincerely,

Yvonne Martínez Beltrán
Mayor Pro Tem
City of Morgan Hill

From: Shelline K. Bennett <sbennett@lcwlegal.com>
Sent: Tuesday, June 17, 2025 3:37 PM
To: Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>; Christina Turner <Christina.Turner@morganhill.ca.gov>

Cc: Donald Larkin <Donald.Larkin@morganhill.ca.gov>; Cynthia Hasson <Cynthia.Hasson@morganhill.ca.gov>; Michael Horta <michael.horta@morganhill.ca.gov>; Karen Kramer <karen@kramerlaw.net>
Subject: [EXTERNAL] RE: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda

Ms. Martinez Beltran –You may contact me directly to discuss this issue. My office number is 5592567800. I have blind copied the rest of City Council to avoid potential responses and violations of the Brown Act. Shelline Bennett

From: Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>
Sent: Tuesday, June 17, 2025 3:28 PM
To: Mark Turner <mark.turner@morganhill.ca.gov>; Marilyn Librers <marilyn.librers@morganhill.ca.gov>; Soraida Iwanaga <soraida.iwanaga@morganhill.ca.gov>; Miriam Vega <miriam.vega@morganhill.ca.gov>; Christina Turner <Christina.Turner@morganhill.ca.gov>
Cc: Shelline K. Bennett <sbennett@lcwlegal.com>; Donald Larkin <Donald.Larkin@morganhill.ca.gov>; Cynthia Hasson <Cynthia.Hasson@morganhill.ca.gov>; Michael Horta <michael.horta@morganhill.ca.gov>; Karen Kramer <karen@kramerlaw.net>
Subject: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda

CAUTION - EXTERNAL EMAIL | DO NOT reply, click links or open attachments unless you have verified the sender and know the content is safe.

Dear Mayor Turner and Members of the Morgan Hill City Council,

I am writing to formally demand that the City Council withdraw the "anticipated litigation" item from the closed session agenda of the Special Meeting scheduled for June 18, 2025 and postpone to a Public hearing after recess. I was shocked that the rationale for the closed session is based on "significant exposure to litigation" because of a "complaint of inappropriate conduct made by Mayor Pro Tem Yvonne Martinez Beltran."

To qualify for closed session discussion under the "anticipated litigation" provision, there must be a significant exposure to litigation against the City. In this case, no such threat exists. I have **never threatened to sue** and I have **not retained legal counsel**. Although I brought to the City's attention that Mayor Mark Turner physically and verbally assaulted me and has engaged in other harassing and retaliatory behavior against me for an extended period of time, it was because I decided **against** pursuing a restraining order against Mayor Mark Turner or taking any other civil litigation action. I instead **opted to pursue my concerns through internal complaint procedures** provided by the City. I, in good faith, voluntarily interviewed at length on two separate occasions with an outside investigator engaged by the City. I put my faith in my colleagues to address my concerns through appropriate City Council actions following the conclusion of a fair and impartial internal investigation into Mayor Mark Turner's conduct.

While the City Council can discuss complaints against City employees where complaints are made under internal complaint procedures (under the Closed Session Agenda Item - Public Employee Discipline/Dismissal/Release), it is without dispute that the Brown Act prohibits discussing these types of internal complaints against the Mayor or any member of the City Council in executive session because complaints against public officials must be discussed in public. Complaints against public officials and related investigation reports are public documents. The Anticipated Litigation item on the June 18, 2025 agenda, using my internal complaint as the excuse, appears to be nothing more than an attempt to circumvent the public transparency required under the Brown Act by manufacturing some threat of litigation that does not exist.

The Brown Act is clear: closed sessions are narrowly construed to avoid abuse and ensure transparency in governmental operations. To proceed under the guise of "anticipated litigation" when no such litigation is contemplated undermines California's open meeting laws. Absent a credible and imminent legal threat, the justification for this closed session discussion collapses.

If the City Council does not withdraw the Anticipated Litigation Closed Session Item from the June 18 Special Meeting Agenda, it will be a knowing and intentional violation of the Brown Act. This blatantly illegal action will also erode public trust in the integrity and transparency of our Council's proceedings. I urge you to follow the law and act in good conscience.

Sincerely,

Yvonne Martínez Beltrán
Mayor Pro Tem
City of Morgan Hill

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From: [Christina Turner](#)
To: [Michelle Bigelow](#)
Subject: Fwd: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda
Date: Wednesday, July 16, 2025 9:45:05 AM

Begin forwarded message:

From: Mark Turner <mark.turner@morganhill.ca.gov>
Date: July 14, 2025 at 2:07:25 PM PDT
To: Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>, "Shelline K. Bennett" <sbennett@lcwlegal.com>, Christina Turner <Christina.Turner@morganhill.ca.gov>
Cc: Donald Larkin <Donald.Larkin@morganhill.ca.gov>, Cynthia Hasson <Cynthia.Hasson@morganhill.ca.gov>, Michael Horta <michael.horta@morganhill.ca.gov>, Karen Kramer <karen@kramerlaw.net>
Subject: **Re: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda**

While Beltran's email is filled with more false statements, let me just say that the meeting scheduled for July 22nd is not convenient for me either as I also had family vacation plans, however, due to the seriousness of Beltran's lies against me, I have made appropriate plans to attend the meeting set for July 22nd. I have the utmost respect for the councilmembers' decision to schedule the meeting when they did and believe all parties involved, especially those who initiated such outrageous claims, should do as well.

Mark Turner
Mayor

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Sincerely,

Yvonne Martínez Beltrán
Mayor Pro Tem
City of Morgan Hill

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From: [Carla Torres](#)
To: [CityCouncil](#); [Marilyn Librers](#); [Soraida Iwanaga](#); [Miriam Vega](#); [Mark Turner](#)
Cc: [Yvonne Martinez Beltran](#); [Sean Allen](#); [Pat Marshall](#); [Sharon Jackson](#); [Seher Awan](#); [Candice Brooks](#); [James A. Staten](#); [Aram James](#); [Ruth Silver Taube](#)
Subject: [EXTERNAL] Request to reschedule meeting
Date: Wednesday, July 16, 2025 4:26:41 PM

Subject: Request to Reschedule Open Meeting

To the Honorable Members of the City Council,

On behalf of the San Jose/Silicon Valley NAACP, I am writing to respectfully request that the upcoming open meeting be rescheduled to a later date following the Council's reconvening.

Councilmember Yvonne Martinez Beltran, a key stakeholder in this matter, is currently unable to attend the scheduled meeting and has expressed a strong desire to be present. We believe her participation is essential to ensuring a comprehensive and inclusive dialogue on an issue of public interest and community concern.

Recent developments related to this matter, including the conclusions of an independent investigative report, highlight the importance of careful deliberation and the need to maintain public confidence in our civic processes. As such, it is critical that all perspectives, particularly those most directly involved, have an opportunity to be represented in the public forum.

The San Jose/Silicon Valley NAACP is committed to upholding transparency, equity, and due process in all matters of governance. We believe that rescheduling this meeting will support a more thoughtful and informed conversation that reflects the values of fairness and accountability.

We thank the Council for its continued dedication to these principles and appreciate your consideration of this request.

Respectfully,

Carla Torres
Secretary
San Jose/Silicon Valley NAACP

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From: [Michelle Bigelow](#)
To: [Michelle Bigelow](#)
Subject: FW: [EXTERNAL] Brian Sullivan Files for the 7/22/25 City Council Meeting
Date: Thursday, July 17, 2025 12:07:30 PM

From: Kathy Sullivan <kcks05@aol.com>
Sent: Wednesday, July 16, 2025 9:31 PM
To: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>
Cc: mhbrian942@gmail.com
Subject: [EXTERNAL] Brian Sullivan Files for the 7/22/25 City Council Meeting

Subject: REGARDING THE ACTIONS OF COUNCILWOMAN YVONNE MARTINEZ BELTRAN

TO THE MORGAN HILL COMMUNITY; CITY COUNCIL & CITY STAFF:

Regarding her recent actions and allegations that Mayor Mark Turner pushed her etc. This is not the first time that she accused someone of actions against her. I have attached an email and request for payment for her attendance at the August 26th, 2023 Cops & Robbers Ball. She arrived late and expected to get in free! She was told by Marilyn Libers her fellow Councilmember who was at the check in desk that she would have to pay. Councilwoman Beltran said she would pay by credit card but was told that acceptance of credit cards had been closed Friday the day before the event. She was granted entrance with her agreeing to make payment ASAP. Over the period of a month, I spoke with her 3 separate times about her lack of payment. During a break at the October 4th the City Council Meeting I advised her that I would bring the matter before the City Council if she did not make payment right away. She yelled out that I was “threatening her.” Others in the audience heard her! I responded that I was not threatening her but advising her of the action to be taken if she did not make payment forthwith. She made payment a few days later.

Her latest action has cost the City Team countless hours in addition to a substantial amount of money!

She is a “FRIVOLOUS LITIGANT” with a clear pattern of abuse of power who bully’s individuals when she doesn’t get her way!!!

Sincerely,

Brian Sullivan
Citizen of Morgan Hill

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mhbrian942@gmail.com

From: mhbrian942@gmail.com
Sent: Thursday, September 28, 2023 11:12 AM
To: yvonne.martinezbeltran@morganhill.ca.gov
Subject: August 26th COPS & ROBBERS BALL EVENT PAYMENT
Attachments: C.L.E.F. LETTER TO COUNCILWOMAN BELTRAN .pdf
Importance: High

Councilwoman Beltran:

Attached is a letter from The Morgan Hill Community Law Enforcement Foundation (C.L.E.F.) concerning your payment for attending the above referenced event.

Please respond to the attached Letter.

Thank you in advance for your prompt attention to this matter...

Respectfully,

Brian Sullivan

STAY STRONG, SAFE, HEALTHY AND HAPPY!!!

Brian Sullivan
Lic.# 0D97951
Global Affiliates Insurance Services
Employee Benefit Solutions for Executive Management
19195 Taylor Avenue
Morgan Hill, CA 95037
C# 408-230-7875
Email: mhbrian942@gmail.com



Morgan Hill Community Law Enforcement Foundation

9-27-23

To: Councilwoman Yvonne Martinez Beltran

Subject: Cops & Robbers Ball Event Ticket

Dear Ms. Beltran:

First, thank you for your attendance at the event and your support of The Morgan Hill Community Law Enforcement Foundation (C.L.E.F.).

You attended the above event on August 26, 2023 and attempted to make the \$125.00 payment by Credit Card. Unfortunately, you were a walk-in with no reservation and the reservations and the ability to pay by Credit Card closed on Friday August 25th. You spoke with Marilyn Libers your fellow Councilmember about the payment as she was at the check in table at the event and she informed you that there was no way for The Morgan Hill Community Law Enforcement Foundation (C.L.E.F.) to accept payment by Credit Card. You could pay by Check or in Cash.

Since that time, I have personally spoken with you on 3 separate occasions about the outstanding payment due C.L.E.F.

Please respond to me as to when and how you will be making payment.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Brian Sullivan".

Brian Sullivan

President C.L.E.F.

Community Law Enforcement Foundation 305 Vineyard Town Center, Box 216, Morgan Hill, CA 95037

July 16, 2025

Kathy Sullivan

Morgan Hill Resident since 2000

President of the Morgan Hill Historical Society from 2014 – 2020, a board member from 2010 to 2020.

Regarding the allegations made by Yvonne Marteniz Beltran in the Kramer Report, made public this week, in my experiences with the Mayor Mark Turner and the Council, I find all her allegations to be frivolous and self-serving.

I will focus my comments on her most egregious abuses of power.

In my roles as a private citizen, community leader and community activist, I have never experienced the behaviors she attributes to the Mark Turner. He has always been inclusive, respectful and engaging with the entire community.

Representing the Morgan Hill Historical Society, I attended nearly all Planning Commission & City Council Meetings between 2013 – 2021.

My first exposure to Yvonne Marteniz Beltran was during her term on the Planning Commission (2016-2018). It was clear she was often not prepared. She had her own agenda and would grandstand taking time that would extend the meetings way past the norm.

When she was elected to the Council in in 2018, I was able to observe an escalating pattern of unpreparedness and self-aggrandizing. I cite some personal examples:

1). Disrespectful of council defined norms and processes for running effective, efficient and respectful meetings.

a). Not respecting other's time. She is often not prepared with succinct comments and questions causing her to ramble on belaboring her remarks/questions. These behaviors caused the council for the first time to establish time limits for council questions and comments. This action was essential to keep the meetings from running well into the wee hours of the morning. To this day she disrespects these norms and limits and makes snide remarks to the mayor when reminded her time is up.

2). Not respecting other's opinions. If others do not agree and accept her positions, she often becomes argumentative and can be disrespectful. She is a bully. She bullies council members on the dais and according to the Kramer Report outside the meetings.

I have personally experienced this behavior. For the 2019 Women's Week Equality Events she assumed that she could use Villa Mira Monte for her event without even clearing it with the Historical Society Board of Directors. Due to her lack of consulting and planning, the Board denied access. Ever since she has held a vendetta against the Historical Society. She does not champion the Society and its mission to preserve local history and operate the Villa Mira Monte History Park – which is in her District.

3). She has an expectation that her Council position should allow her free admission to community and organization events.

At a MHHS fundraising event several years ago, she showed up late (as is her habit) and claimed she should not have to pay since the event had already started. After several minutes of discussion, I invited her to pay or leave. She begrudgingly paid. Other community organization leaders have shared this same expectation with me.

I close with a comment made in her 2018 council campaign video. She made a point of saying she was “getting to know her community.” Not once that I am aware of has she held a district “meet and greet” to get to know her district constituents – my residence is in her district. She has little understanding of Villa Mira Monte, our city's Historical Park, in her district, to understand its history and how she could support it.

Respectfully submitted,

Kathy Sullivan

From: [Michelle Bigelow](#)
To: [Carla Torres](#); [CityCouncil](#); [Marilyn Librers](#); [Soraida Iwanaga](#); [Miriam Vega](#); [Mark Turner](#)
Cc: [Yvonne Martinez Beltran](#); [Sean Allen](#); [Pat Marshall](#); [Sharon Jackson](#); [Seher Awan](#); [Candice Brooks](#); [James A. Staten](#); [Aram James](#); [Ruth Silver Taube](#); [Shelline K. Bennett](#); [Cynthia Hasson](#)
Subject: RE: Request to reschedule meeting
Date: Thursday, July 17, 2025 10:24:00 AM

Good morning,

Thank you for your email and for sharing your perspective on the upcoming City Council meeting.

The Council selected July 22 as the meeting date during a noticed meeting. At the time the date was set, Mayor Pro Tem Martinez Beltran had not informed the City Manager or her Council colleagues that she would be out of the area. Notifying the City Manager and fellow council members of such scheduling conflicts is not only standard protocol but also a matter of common courtesy, ensuring the Council can plan accordingly. She has also not reached out to her alternates to provide coverage for outside committee assignments during this time.

Although the Council does not hold regularly scheduled meetings during July and a portion of August, this period is not considered a recess. Council members continue to have responsibilities and obligations, including attending meetings and representing the City in various capacities, as well as fulfilling their outside assignments.

Should the Council wish to consider continuing the item to a later date, that decision could be made during the meeting itself. It's also critical to recognize that this matter involves two individuals, and both parties deserve a fair and timely resolution. While transparency and thorough deliberation are essential, which an open and public meeting provides, so too is the need for an expedient process that considers the rights and interests of all involved.

Michelle Bigelow, MMC, CPMC
City Clerk/Public Information Officer
she | her | hers ([what's this?](#))

City of Morgan Hill
City Clerk's Office
17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259
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morganhill.ca.gov | [facebook](#) | [twitter](#)

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From: Carla Torres <xicanamagic@hotmail.com>
Sent: Wednesday, July 16, 2025 4:26 PM
To: CityCouncil <CityCouncil@morganhill.ca.gov>; Marilyn Librers <marilyn.librers@morganhill.ca.gov>; Soraida Iwanaga <soraida.iwanaga@morganhill.ca.gov>; Miriam Vega <miriam.vega@morganhill.ca.gov>; Mark Turner <mark.turner@morganhill.ca.gov>

Cc: Yvonne Martinez Beltran <councilwomanmartinezbeltran@gmail.com>; Sean Allen <sallen6444@yahoo.com>; Pat Marshall <p.marshall81@ymail.com>; Sharon Jackson <mamad2ndchance@gmail.com>; Seher Awan <firebrand.dr@gmail.com>; Candice Brooks <brookscandice14@gmail.com>; James A. Staten <jamesastaten@gmail.com>; Aram James <abjpd1@gmail.com>; Ruth Silver Taube <ruthsilvertaube16@gmail.com>

Subject: [EXTERNAL] Request to reschedule meeting

Subject: Request to Reschedule Open Meeting

To the Honorable Members of the City Council,

On behalf of the San Jose/Silicon Valley NAACP, I am writing to respectfully request that the upcoming open meeting be rescheduled to a later date following the Council's reconvening.

Councilmember Yvonne Martinez Beltran, a key stakeholder in this matter, is currently unable to attend the scheduled meeting and has expressed a strong desire to be present. We believe her participation is essential to ensuring a comprehensive and inclusive dialogue on an issue of public interest and community concern.

Recent developments related to this matter, including the conclusions of an independent investigative report, highlight the importance of careful deliberation and the need to maintain public confidence in our civic processes. As such, it is critical that all perspectives, particularly those most directly involved, have an opportunity to be represented in the public forum.

The San Jose/Silicon Valley NAACP is committed to upholding transparency, equity, and due process in all matters of governance. We believe that rescheduling this meeting will support a more thoughtful and informed conversation that reflects the values of fairness and accountability.

We thank the Council for its continued dedication to these principles and appreciate your consideration of this request.

Respectfully,

Carla Torres
Secretary
San Jose/Silicon Valley NAACP

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Department by opening a new helpdesk request online or call 408-909-0055.

From: [Jennifer Blalack](#)
To: [CityCouncil](#)
Subject: [EXTERNAL] City Council Meeting - Transparency
Date: Thursday, July 17, 2025 11:33:14 AM

To the Honorable Members of the City Council,

I respectfully request that the upcoming meeting be rescheduled until after your August 20th reconvening. Matters of public interest, especially those involving complaints against our Mayor, should be addressed transparently in open session, not behind closed doors during the Council's July recess.

Key voices, including Councilmember Yvonne Martinez Beltran, are currently unavailable. All stakeholders deserve a seat at the table given the significance of these allegations and recent independent findings.

Rescheduling will ensure fairness, transparency, and public trust.

Thank you for considering this request.

Respectfully,
Jennifer Blalack

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From: [Mark Turner](#)
To: [Jennifer Blalack](#); [CityCouncil](#)
Subject: Re: [EXTERNAL] City Council Meeting - Transparency
Date: Thursday, July 17, 2025 11:52:21 AM

Ms. Blalack,

The decision to reschedule the July 22nd meeting is not up to me, it is in the hands of Councilmembers Librers, Vega, and Iwanaga. While the July 22nd date is not convenient for me either, as I too had family vacation plans, I have put my family plans on hold to attend the scheduled meeting. The meeting that is currently set for July 22nd is NOT behind closed doors as you falsely allege. It is an open public meeting and all are welcomed to attend, even the one who instigated the lies to begin with.

Mark Turner
Mayor

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From: Jennifer Blalack <jennifer.blalack@gmail.com>
Sent: Thursday, July 17, 2025 11:32:31 AM
To: CityCouncil <CityCouncil@morganhill.ca.gov>
Subject: [EXTERNAL] City Council Meeting - Transparency

To the Honorable Members of the City Council,

I respectfully request that the upcoming meeting be rescheduled until after your August 20th reconvening. Matters of public interest, especially those involving complaints against our Mayor, should be addressed transparently in open session, not behind closed doors during the Council's July recess.

Key voices, including Councilmember Yvonne Martinez Beltran, are currently unavailable. All stakeholders deserve a seat at the table given the significance of these allegations and recent independent findings.

Rescheduling will ensure fairness, transparency, and public trust.

Thank you for considering this request.

Respectfully,
Jennifer Blalack

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information should not be transmitted to this user. For question, please contact the Morgan Hill IT Department by opening a new helpdesk request online or call 408-909-0055.

From: [Camille Martinez](#)
To: [CityCouncil](#)
Subject: [EXTERNAL] Request for Transparency
Date: Thursday, July 17, 2025 1:45:59 PM

To the Honorable Members of the City Council,

In the interest of transparency, I would like to request the upcoming open meeting be rescheduled to a date following the Morgan Hill council's reconvening on August 20. Complaints brought against our current city representatives are a serious matter that should be accessible to all constituents. Currently, I fear it is not being addressed with the intention of transparency but with the intention to mislead constituents.

If the council recesses in July, then there should not be special efforts made to convene in closed meetings during a recess. It rationalizes to honorably recess and reschedule such important meetings in August, when most constituents are back from summer travels. Constituents may not have the luxury of refraining from previously purchased and scheduled travels in July, as may some of our city's representatives, who are fortunate to accommodate last-minute preparations.

I would appreciate the presence of all involved to be present in August to give witness testimony and first-hand account of the investigation to support public knowledge regarding it's representatives and their modeling of their civic responsibilities.

I respectfully request this month's upcoming open meetings be rescheduled to after the council's reconvening date of August 20, 2025. I thank the council for its continued diligence in maintaining public trust in matters of governance.

Respectfully,

Camille Martinez
Concerned Constituent

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From: [Marij McMillan](#)
To: [CityCouncil](#)
Subject: [EXTERNAL] Concerns about hastily-scheduled meeting during summer
Date: Thursday, July 17, 2025 5:26:40 PM

To the Honorable Members of the City Council,

Although there has been a lot of discussion on social media about the complaint against Mayor Mark Turner speaking and acting aggressively towards city councilwoman Yvonne Martinez Beltran, nothing has been publicly said to address this through official channels. It seems that City Council and the Mayor should have public hearings about this during the usual session (after August 20): scheduling multiple closed sessions about the outcome of the investigation into the complaint, at least one during the summer session, suggests an attempt to sweep the accusations under the rug and indicates a lack of transparency by the City & its officials.

Holding extra City Council meetings in the summer when the Council is not in session is concerning, especially when multiple City Council meetings were cancelled during the normal session.

I hope that all City Council members are taking the accusations seriously, as a complaint by a City Council member about aggressive words and actions by the mayor like this should be addressed, and all residents should be able to stay informed by the scheduling of meetings during the regular session. Citizens of our city need to be aware of what is happening by our elected officials and there should not be an apparent attempt to hide this behind closed session doors or during the summer session.

I appreciate the work that the Council does and for its commitment to responsibly and respectfully work together to support our community.

Thank you,

Marjorie McMillan
Morgan Hill Resident

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From: [Yvonne Martinez Beltran](#)
To: [Michelle Bigelow](#); [Carla Torres](#); [CityCouncil](#); [Marilyn Librers](#); [Soraida Iwanaga](#); [Miriam Vega](#); [Mark Turner](#); [Yvonne Martinez Beltran](#)
Cc: [Sean Allen](#); [Pat Marshall](#); [Sharon Jackson](#); [Seher Awan](#); [Candice Brooks](#); [James A. Staten](#); [Aram James](#); [Ruth Silver Taube](#); [Shelline K. Bennett](#); [Cynthia Hasson](#)
Subject: Re: Request to reschedule meeting
Date: Thursday, July 17, 2025 11:01:24 PM

Dear Michelle,

Thank you for the message. I'd like to make a few corrections please.

1) **❓We are currently out on a scheduled summer recess as we do every year in July. "For the month of July, all meetings are to be canceled for summer recess." (Council Policy 06-02)**

This is the same policy I recently proposed a future agenda item to delineate when meetings could be cancelled for consistency and transparency so we did not have meetings cancelled for 6 weeks at a time as we did recently, twice within a year but it needed another vote.

2) *"The Council selected July 22 as the meeting date during a noticed meeting. At the time the date was set, Mayor Pro Tem Martinez Beltran had not informed the City Manager or her Council colleagues that she would be out of the area. Notifying the City Manager and fellow council members of such scheduling conflicts is not only standard protocol but also a matter of common courtesy, ensuring the Council can plan accordingly."*

I did not inform the City Manager or Council colleagues about scheduling conflicts when the Council is on recess until August 20, 2025, as we are on recess.

Additionally, many team members are out on vacation, the public is aware meetings are cancelled and does not reconvene until Aug 20th. I was not in attendance and therefore did not vote at the meeting when July 22nd, (which is during our scheduled Council recess), was selected as the meeting date. I informed my colleagues, the City Manager, City Attorney, and outside counsel both in writing and twice in person, I was not recusing myself as has been incorrectly stated, but rather would not attend the closed sessions because the closed sessions were being held in violation of the Brown Act, which requires that a complaint against a public official be heard in public for transparency, and therefore they needed to be open sessions and I did not want to violate the Brown Act.

Since you bring this up, it is interesting because I did point this out to the City Manager as a concern that has occurred with the Mayor not when Council is on recess, but actually when in session. I have been informed Mayor Turner is out of town often and has cancelled meetings

because he will be out of the area or state. Yet, I have never as a Council Member or as Mayor Pro Tem (who would step in should he be unable to), been advised if our Mayor of the City would be out of the area should something happen. If the Mayor could be unavailable to present in an emergency, because they chair the Council, the Council should be made aware.

One example, is when there was an important press conference on the Muslim hate crime the press shared the Mayor was on the east coast with family, something I as a Councilmember and as Mayor Pro Tem (Vice Mayor) should have been made aware of in the event a City emergency should occur. In fact, I shared with the City Manager informing the Council was standard professional protocol and concerning. She was more concerned when I pointed out she as City Manager let's Council know if she will be out of town and who will be acting emergency City Manager if needed. My point is not that the Mayor shouldn't travel, see family, etc of course, but that when you are the Mayor, it is an additional matter of professional common courtesy and responsibility to inform your board if you are out of the area. Therefore, by no means is it a practice for our current Mayor who chairs the Council to inform the Council that he would be out of the area when Council is active, and most certainly not for a Council Member who does not chair the Council to inform the City Manager or Council that they would be out of the area, most especially during a planned Council recess when meetings have been cancelled. I'll bring this request as a future agenda item.

3) Below it is also stated, *"She has also not reached out to her alternates to provide coverage for outside committee assignments during this time...Council members continue to have responsibilities and obligations, including attending meetings and representing the City in various capacities, as well as fulfilling their outside assignments."*

There is no meetings for me to have coverage on my committee assignments that I am aware of, which is why I did not need to reach out to alternates to provide coverage for outside committee assignments. Who told you I needed coverage and what meeting exactly are your referring to please?

Agreed, both individuals involved in this matter deserve a fair and timely resolution. That said, fairness must also include a process that upholds transparency and public trust — especially when the issue affects not just the individuals directly involved, but also the broader community's confidence in how such matters are handled.

While expediency is important, it should not come at the cost of perception or process. Pushing this matter forward during a scheduled council recess — when many are unavailable and public attention is lower — undermines that trust. It gives the impression that the issue is being rushed through without proper scrutiny, and

that deeply impacts those who have already endured a great deal.

Closed-door sessions have only intensified these concerns. Open and public meetings are not just beneficial — they are essential. I urge the council to take the necessary time and steps to ensure a fair process, but that it also be seen as fair by all involved and by the public.

Regards,

Yvonne Martinez Beltran

Mayor Pro Tem

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From: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>

Sent: Thursday, July 17, 2025 7:24 PM

To: Carla Torres <xicanamagic@hotmail.com>; CityCouncil <CityCouncil@morganhill.ca.gov>; Marilyn Librers <marilyn.librers@morganhill.ca.gov>; Soraida Iwanaga <soraida.iwanaga@morganhill.ca.gov>; Miriam Vega <miriam.vega@morganhill.ca.gov>; Mark Turner <mark.turner@morganhill.ca.gov>

Cc: Yvonne Martinez Beltran <councilwomanmartinezelbeltran@gmail.com>; Sean Allen <sallen6444@yahoo.com>; Pat Marshall <p.marshall81@ymail.com>; Sharon Jackson <mamad2ndchance@gmail.com>; Seher Awan <firebrand.dr@gmail.com>; Candice Brooks <brookscandice14@gmail.com>; James A. Staten <jamesastaten@gmail.com>; Aram James <abjpd1@gmail.com>; Ruth Silver Taube <ruthsilvertaube16@gmail.com>; Shelline K. Bennett <sbennett@lcwlegal.com>; Cynthia Hasson <Cynthia.Hasson@morganhill.ca.gov>

Subject: RE: Request to reschedule meeting

Good morning,

Thank you for your email and for sharing your perspective on the upcoming City Council meeting.

The Council selected July 22 as the meeting date during a noticed meeting. At the time the date was set, Mayor Pro Tem Martinez Beltran had not informed the City Manager or her Council colleagues that she would be out of the area. Notifying the City Manager and fellow council members of such scheduling conflicts is not only standard protocol but also a matter of common courtesy, ensuring the Council can plan accordingly. She has also not reached out to her alternates to provide coverage for outside committee assignments during this time.

Although the Council does not hold regularly scheduled meetings during July and a portion of August, this period is not considered a recess. Council members continue to have responsibilities and obligations, including attending meetings and representing the City in various capacities, as well as fulfilling their outside assignments.

Should the Council wish to consider continuing the item to a later date, that decision could be made during the meeting itself. It's also critical to recognize that this matter involves two individuals, and both parties deserve a fair and timely resolution. While transparency and

thorough deliberation are essential, which an open and public meeting provides, so too is the need for an expedient process that considers the rights and interests of all involved.

Michelle Bigelow, MMC, CPMC
City Clerk/Public Information Officer
she | her | hers ([what's this?](#))

City of Morgan Hill
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From: Carla Torres <xicanamagic@hotmail.com>
Sent: Wednesday, July 16, 2025 4:26 PM
To: CityCouncil <CityCouncil@morganhill.ca.gov>; Marilyn Librers <marilyn.librers@morganhill.ca.gov>; Soraida Iwanaga <soraida.iwanaga@morganhill.ca.gov>; Miriam Vega <miriam.vega@morganhill.ca.gov>; Mark Turner <mark.turner@morganhill.ca.gov>
Cc: Yvonne Martinez Beltran <councilwomanmartinezbeltran@gmail.com>; Sean Allen <sallen6444@yahoo.com>; Pat Marshall <p.marshall81@ymail.com>; Sharon Jackson <mamad2ndchance@gmail.com>; Seher Awan <firebrand.dr@gmail.com>; Candice Brooks <brookscandice14@gmail.com>; James A. Staten <jamesastaten@gmail.com>; Aram James <abjpd1@gmail.com>; Ruth Silver Taube <ruthsilvertaube16@gmail.com>
Subject: [EXTERNAL] Request to reschedule meeting

Subject: Request to Reschedule Open Meeting

To the Honorable Members of the City Council,

On behalf of the San Jose/Silicon Valley NAACP, I am writing to respectfully request that the upcoming open meeting be rescheduled to a later date following the Council's reconvening.

Councilmember Yvonne Martinez Beltran, a key stakeholder in this matter, is currently unable to attend the scheduled meeting and has expressed a strong desire to be present. We believe her participation is essential to ensuring a comprehensive and inclusive dialogue on an issue of public interest and community concern.

Recent developments related to this matter, including the conclusions of an independent investigative report, highlight the importance of careful deliberation and the need to maintain public

confidence in our civic processes. As such, it is critical that all perspectives, particularly those most directly involved, have an opportunity to be represented in the public forum.

The San Jose/Silicon Valley NAACP is committed to upholding transparency, equity, and due process in all matters of governance. We believe that rescheduling this meeting will support a more thoughtful and informed conversation that reflects the values of fairness and accountability.

We thank the Council for its continued dedication to these principles and appreciate your consideration of this request.

Respectfully,

Carla Torres

Secretary

San Jose/Silicon Valley NAACP

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From: [Mark Turner](#)
To: [Marji McMillan](#); [CityCouncil](#)
Subject: RE: [EXTERNAL] Concerns about hastily-scheduled meeting during summer
Date: Friday, July 18, 2025 6:59:06 AM

Good morning, Marji,

Please know I have had nothing to do with setting the date for this meeting. When Ms. Beltran lied and initiated her false claims against me back in February, she set into motion many things outside my control such as the police investigation proving her story to be false, the DA choosing not to pursue her false claims, and the 3rd party investigation revealing a very troubling pattern of behavior by Ms. Beltran. I have had to change my family vacation plans to be present for the July 22nd meeting and I have done so because I respect the councilmembers' decision to deal with this quickly. When one instigates falsehoods, she should do all she can to be present to answer for her bad behavior.

Mark Turner
Mayor

City of Morgan Hill
17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4647 **C:** 408.221.6203
mark.turner@morganhill.ca.gov
morganhill.ca.gov | [facebook](#) | [twitter](#)

From: Marji McMillan <marji_mcmillan@yahoo.com>
Sent: Thursday, July 17, 2025 5:26 PM
To: CityCouncil <CityCouncil@morganhill.ca.gov>
Subject: [EXTERNAL] Concerns about hastily-scheduled meeting during summer

To the Honorable Members of the City Council,

Although there has been a lot of discussion on social media about the complaint against Mayor Mark Turner speaking and acting aggressively towards city councilwoman Yvonne Martinez Beltran, nothing has been publicly said to address this through official channels. It seems that City Council and the Mayor should have public hearings about this during the usual session (after August 20): scheduling multiple closed sessions about the outcome of the investigation into the complaint, at least one

during the summer session, suggests an attempt to sweep the accusations under the rug and indicates a lack of transparency by the City & its officials.

Holding extra City Council meetings in the summer when the Council is not in session is concerning, especially when multiple City Council meetings were cancelled during the normal session.

I hope that all City Council members are taking the accusations seriously, as a complaint by a City Council member about aggressive words and actions by the mayor like this should be addressed, and all residents should be able to stay informed by the scheduling of meetings during the regular session. Citizens of our city need to be aware of what is happening by our elected officials and there should not be an apparent attempt to hide this behind closed session doors or during the summer session.

I appreciate the work that the Council does and for its commitment to responsibly and respectfully work together to support our community.

Thank you,

Marjorie McMillan
Morgan Hill Resident

[Sent from Yahoo Mail for iPhone](#)

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From: [Mark Turner](#)
To: [Carla Torres](#); [CityCouncil](#); [Marilyn Librers](#); [Soraida Iwanaga](#); [Miriam Vega](#); [Yvonne Martinez Beltran](#)
Cc: [Sean Allen](#); [Pat Marshall](#); [Sharon Jackson](#); [Seher Awan](#); [Candice Brooks](#); [James A. Staten](#); [Aram James](#); [Ruth Silver Taube](#)
Subject: RE: Request to reschedule meeting
Date: Friday, July 18, 2025 7:17:51 AM

Good morning, Carla,

Thank you for your email and concern for Ms. Beltran. Your comments regarding equity are very comforting, it's unfortunate the San Jose/Silicon Valley NAACP somehow didn't feel that way when Sean Allen chose to perpetuate Ms. Beltran's lies even before the investigation was completed, revealing just how troubling Ms. Beltran's behavior has been. Something the NAACP would gasp at if others were guilty of such behavior. I even appreciate your comments about "due process." I just wish your organization would have exercised due process regarding the lies against me; however, it appears Sean Allen chose to be the judge and jury when he bought into the false accusations by Ms. Beltran. Whatever happened to, "Innocent until proven guilty?" Surely your organization still believes in that, don't they.

I've changed my family vacation plans to be present on July 22nd, and I think others can do the same.

Mark Turner
Mayor

City of Morgan Hill
17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4647 **C:** 408.221.6203
mark.turner@morganhill.ca.gov
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From: Carla Torres <xicanamagic@hotmail.com>
Sent: Wednesday, July 16, 2025 6:19 PM
To: CityCouncil <CityCouncil@morganhill.ca.gov>; Marilyn Librers <marilyn.librers@morganhill.ca.gov>; Soraida Iwanaga <soraida.iwanaga@morganhill.ca.gov>; Miriam Vega <miriam.vega@morganhill.ca.gov>; Mark Turner <mark.turner@morganhill.ca.gov>; Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>
Cc: Sean Allen <sallen6444@yahoo.com>; Pat Marshall <p.marshall81@gmail.com>; Sharon Jackson <mamad2ndchance@gmail.com>; Seher Awan <firebrand.dr@gmail.com>; Candice Brooks <brookscandice14@gmail.com>; James A. Staten <jamesastaten@gmail.com>; Aram James <abjpd1@gmail.com>; Ruth Silver Taube <ruthsilvertaube16@gmail.com>
Subject: [EXTERNAL] Request to reschedule meeting

Subject: Request to Reschedule Open Meeting

To the Honorable Members of the City Council,

On behalf of the San Jose/Silicon Valley NAACP, I am writing to respectfully request that the upcoming open meeting be rescheduled to a later date following the Council's reconvening.

Councilmember Yvonne Martinez Beltran, a key stakeholder in this matter, is currently unable to attend the scheduled meeting and has expressed a strong desire to be present. We believe her participation is essential to ensuring a comprehensive and inclusive dialogue on an issue of public interest and community concern.

Recent developments related to this matter, including the conclusions of an independent investigative report, highlight the importance of careful deliberation and the need to maintain public confidence in our civic processes. As such, it is critical that all perspectives, particularly those most directly involved, have an opportunity to be represented in the public forum.

The San Jose/Silicon Valley NAACP is committed to upholding transparency, equity, and due process in all matters of governance. We believe that rescheduling this meeting will support a more thoughtful and informed conversation that reflects the values of fairness and accountability.

We thank the Council for its continued dedication to these principles and appreciate your consideration of this request.

Respectfully,

Carla Torres

Secretary

San Jose/Silicon Valley NAACP

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From: [Sean Allen](#)
To: [Mark Turner](#); [Brandon Pho](#); [Jeff Rosen](#); [Dan Okonkwo](#); [Daniel Chung](#); [Sylvia Arenas](#); [Rebeca Armendariz](#); [Reymundo Armendariz](#); [Shane Palsgrove](#); [Miriam Vega](#); [Yvonne Martinez Beltran](#); [Soraida Iwanaga](#); [Marilyn Libers](#); [Raul Colunga](#); [roseamador@aol.com](#); [Victor Vasquez](#); [Victor Sin](#); [Raj Jayadev](#); [Jose Valle](#); [Darcie Green](#); [Kyra Kazantzis](#); [Richard Konda](#); [walter wilson](#)
Cc: [Carla Torres](#); [CityCouncil](#); [Pat Marshall](#); [Sharon Jackson](#); [Seher Awan](#); [Candice Brooks](#); [James A. Staten](#); [Aram James](#); [Ruth Silver Taube](#); [Robert Handa NBC News](#); [Robert Salonga Mercury News](#); [LaMonica Peters](#); [Tamara Mino](#); [Jack Molmud](#)
Subject: [EXTERNAL] Request to reschedule meeting
Date: Friday, July 18, 2025 12:49:33 PM
Attachments: [Untitled-design-10-1200x630.png](#)

Subject: Addressing Ongoing Concerns Regarding Mayor Turner

Dear Mayor,

I appreciate the opportunity to address the conclusions drawn from the independent investigation regarding the allegations made by Mayor Pro Tem Yvonne Martínez Beltrán. While the investigation found no credible evidence of physical assault or retaliation, it is essential to clarify the definition of battery under California law, which states that battery is the willful and unlawful use of force or violence upon the person of another. Even minor physical contact can qualify as battery if it is unwanted and done without consent.

The investigation's report acknowledges that you did touch Martínez Beltrán during the February 7 meeting. Importantly, prior to this contact, you stated to her, “you need to get in line.” This comment, coupled with the physical touch, raises significant concerns about the context in which the contact occurred. Although the report concluded that the contact could not be proven to be aggressive or motivated by her gender or race, it is crucial to recognize that any unwanted physical contact—regardless of intent—still falls under the definition of battery.

Key points from California law include:

1. Willful and Unlawful: The contact must be intentional and not accidental. Even if the touching was not intended to harm, it can still be considered unlawful if it was unwanted.
2. Force or Violence: Battery does not require significant harm; even a slight touch that is deemed offensive can be classified as battery.
3. On the Person of Another: The contact must occur directly on the victim's body or something intimately connected to them.
4. Unwanted: The contact must be unwelcome. If Martínez Beltrán did not consent to the touch, it could be viewed as battery, irrespective of the intent behind it.

For further reference, you can review the California Penal Code sections related to battery:

- [California Penal Code Section 240 - Assault]
(https://leginfo.ca.gov/faces/codes_displaySection?lawCode=PEN§ionNum=240)

- [California Penal Code Section 242 - Battery]
(https://leginfo.ca.gov/faces/codes_displaySection?lawCode=PEN§ionNum=242)
- [California Penal Code Section 422 - Criminal Threats]
(https://leginfo.ca.gov/faces/codes_displaySection?lawCode=PEN§ionNum=422)

Additionally, California workplace violence laws and standards emphasize the importance of maintaining a safe environment for all employees, which includes prohibiting acts that can lead to physical harm or intimidation. The standards require employers, including public officials, to take reasonable steps to prevent and address workplace violence. Any behavior that creates a hostile work environment, including threats or unwelcome physical contact, is in violation of these standards. More information on workplace violence prevention can be found through the California Department of Industrial Relations: [Cal/OSHA Workplace Violence Prevention](<https://www.dir.ca.gov/dosh/Training/WorkplaceViolence.html>).

Furthermore, the investigation failed to include all potential witnesses, which is a critical oversight. Yvonne listed additional witnesses who were actually present at the scene of the incident and could provide relevant testimony. Some of these individuals are those to whom Yvonne may have reported the incident shortly after it occurred. When Yvonne reported to the NAACP, her statement was consistent with the information provided in this letter. This lack of thoroughness further undermines the credibility of the investigation's findings.

Moreover, the initial meeting about the incident occurred in June during a closed session. A second meeting, this time public, has been scheduled in July, a time period when the council policy states that there are to be no meetings. This decision is disingenuous and appears to lack transparency. The city council had previously set the meeting dates, which were made public to city employees and leaders, and the public understood that this period was associated with closed session meetings. By holding a public meeting during this time, you have created confusion and potentially undermined respect for the council's established schedule and the community's involvement.

Furthermore, your remark to Yvonne suggests a belief that people of color should conform to a hierarchy that you impose, which is unacceptable. Regardless of your intent, it is important to recognize that no one has the right to confront or physically touch another person without their consent. The act of touching Council Member Beltran, especially in the context presented, constitutes a violation of city policies and raises serious legal and ethical concerns. If this incident had involved city employees rather than elected officials, I believe the response would have been markedly different.

Additionally, the NAACP has reached out to you previously on various issues, but your lack of response indicates a troubling disregard for our community's concerns and values. This pattern reflects a broader issue of supremacy, wherein our voices seem to matter less to you in your role as a public official.

I understand that it may be uncomfortable for you to confront these issues, but it is essential for the health of our community. Your actions appear to align with patterns that are consistent with white supremacy, particularly as your circle seems to be composed primarily of individuals who share your background.

In light of these concerns, I believe it is necessary for the community to come together and make it clear that we will not tolerate bigotry or any form of intimidation or violence—especially against women of color. You may hold the title of Mayor, but it is crucial to remember that you serve the community, and we will not accept any actions that threaten our dignity or safety.

While I am not a judge, I am unafraid to speak out against injustice. Your actions suggest a fear of those who do not look like you, and it is time to address this fear constructively.

Thank you for considering this perspective.

Sincerely,

Sean Allen
President
San Jose/Silicon Valley NAACP

References:





Morgan Hill investigation finds no evidence of assault by mayor | Morgan Hill Times | Morgan Hill, San Martin, CA
morganhilltimes.com

Sent from my iPhone

On Jul 18, 2025, at 7:17 AM, Mark Turner <mark.turner@morganhill.ca.gov> wrote:

Good morning, Carla,

Thank you for your email and concern for Ms. Beltran. Your comments regarding equity are very comforting, it's unfortunate the San Jose/Silicon Valley NAACP somehow didn't feel that way when Sean Allen chose to perpetuate Ms. Beltran's lies even before the investigation was completed, revealing just how troubling Ms. Beltran's behavior has been. Something the NAACP would gasp at if others were guilty of such behavior. I even appreciate your comments about "due process." I just wish your organization would have exercised due process regarding the lies against me; however, it appears Sean Allen chose to be the judge and jury when he bought into the false accusations by Ms. Beltran. Whatever happened to, "Innocent until proven guilty?" Surely your organization still believes in that, don't they.

I've changed my family vacation plans to be present on July 22nd, and I think others can do the same.

Mark Turner
Mayor

City of Morgan Hill
17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4647 **C:** 408.221.6203
mark.turner@morganhill.ca.gov
morganhill.ca.gov | [facebook](https://www.facebook.com/morganhillca) | [twitter](https://twitter.com/morganhillca)

From: Carla Torres <xicanamagic@hotmail.com>
Sent: Wednesday, July 16, 2025 6:19 PM
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Cc: Sean Allen <sallen6444@yahoo.com>; Pat Marshall <p.marshall81@ymail.com>; Sharon Jackson <mamad2ndchance@gmail.com>; Seher Awan <firebrand.dr@gmail.com>; Candice Brooks <brookscandice14@gmail.com>; James A. Staten <jamesastaten@gmail.com>; Aram James <abjpd1@gmail.com>; Ruth Silver Taube <ruthsilvertaube16@gmail.com>
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Carla Torres

Secretary

San Jose/Silicon Valley NAACP

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From: [Joe Baranowski](#)
To: [Christina Turner](#); [Donald Larkin](#); sbennett@lcwlegal.com
Cc: [CityCouncil](#); [Michelle Bigelow](#); [CC Public Comment](#)
Subject: [EXTERNAL] "Methodolgy of the Investigation" / "Credibility"
Date: Friday, July 18, 2025 2:58:40 PM

Ms. Bennett,

In your report you describe your "methodology of the investigation", which includes this statement:

"In addition to this document, the undersigned watched a video of the interaction between Martínez Beltrán and Turner that occurred during the February 7, 2025 Council meeting."

Surely, I hope, it was just an oversight that you did not mention other Public Meetings in which Mark Turner interacted with Yvonne Martinez-Beltran and other individuals who do not always agree with his policies, opinions, or actions.

Your report noted the importance of establishing credibility:

"It is important to note that prior to making a determination regarding the facts as alleged, the credibility of each witness was considered. In evaluating a witness's credibility, many factors were considered, including possible bias or motivation to lie, the ability of a witness to recall information, the specificity of the information provided, whether the information provided was consistent with prior statements made by the witness and/or statements made by other witnesses, and the inherent plausibility of the information provided."

I agree!

And it would be INCREDIBLE to ignore, from "many factors" that were available to you whether or not the Public Record of previous interactions that Mr. Turner has had with council member Martinez-Beltran and other members of the council and the public shows if there was not only a possible bias or motivation to lie but a pattern where a person has actually lied.

How many public meetings and over what approximate total time did you review archived video to assist your evaluation of credibility of any of the parties involved? Where can I find the summary of those observations?

Thank you for your anticipated response,

Joe Baranowski
Morgan Hill Resident for 25 years

Michelle, I assume that by including 'ccpubliccomment' in the distribution list, I won't have to make a special request to have this question posted as a supplement to the public record as I have had to do on a routine basis for reasons that have never been explained. If there is something else I need to do, please let me know. Thank you.

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CITY COUNCIL STAFF REPORT

MEETING DATE: July 22, 2025

RECEIVE REPORT REGARDING THE COMPLAINT OF MAYOR PRO TEM YVONNE MARTÍNEZ BELTRÁN

RECOMMENDATION(S)

1. Receive the Report from Outside Counsel
2. Receive Response from Mayor Pro Tem Martinez Beltran (7 Minutes)
3. Receive Response from Mayor Turner (7 Minutes)
4. Receive Public Comment (1 Minute Each)
5. Receive Council Comments (5 Minutes Each)

COUNCIL PRIORITIES, GOALS & STRATEGIES

N/A

REPORT NARRATIVE:

The purpose of this item is to hear a presentation regarding the findings of an investigation regarding a complaint made by Mayor Pro Tem Martinez Beltran against Mayor Turner based on alleged conduct at the February 7, 2025 City Council Workshop. Council will receive a report from outside counsel Shelline K. Bennett, who represents the City Council on this matter. A copy of the written investigation report is attached.

The police report attached to the investigation report states that the case is pending District Attorney review. The District Attorney's Office has rejected the case, and no charges will be filed.

COMMUNITY ENGAGEMENT:

None

ALTERNATIVE ACTIONS:

None

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

The total cost paid to the City's independent investigator is \$17,816. The costs for outside legal counsel are ongoing, and the City has paid \$1,035 to date. Through the issuance of this report, the approximate costs incurred but not yet billed total \$7,605. These costs are paid from the City Council budget.

CEQA (California Environmental Quality Act):

Not a Project

Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

CONFIDENTIAL PERSONNEL INVESTIGATION REPORT

CITY OF MORGAN HILL – COMPLAINT OF YVONNE MARTÍNEZ BELTRÁN

June 9, 2025

KRAMER WORKPLACE INVESTIGATIONS

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Pursuant to the request of the City of Morgan Hill ("City"), Karen Kramer of Kramer Workplace Investigations conducted a fact-finding investigation into the complaint made by Council Member Yvonne Martínez Beltrán against Mayor Mark Turner.

I. INTRODUCTION

The City retained Kramer Workplace Investigations on or about February 18, 2025, to investigate Martínez Beltrán's complaint that Turner yelled at her and pushed her on February 7, 2025. Specifically, Martínez Beltrán claims that during a special Council meeting, held on February 7, 2025, Turner approached her, yelled at her, "You're too much," pointed his finger at her, said, "You're going to get in line," and pushed her on her right forearm. Additionally, Martínez Beltrán alleges that Turner retaliated against her for running against him in the November 2024 election. She also indicated during her interview that Turner mistreated her based on her gender and her race.

This report is a fact-finding document created through the methodology described herein. The report contains factual conclusions based upon the information made available during the course of the investigation. It does not draw any legal conclusions or assess whether any City policies or State laws were violated. Furthermore, while several hours were spent interviewing witnesses, this report does not purport to include every detail as described by the individuals involved. Rather, it assesses the important facts as they pertain to the complaint made by Martínez Beltrán against Turner.

II. SUMMARY OF FINDINGS

The allegations against Turner are not sustained. The credible evidence presented fails to establish by a preponderance of the evidence that Turner did not assign Martínez Beltrán to the committees to which she wanted to be assigned because she ran against him in November 2024. Additionally, the preponderance of credible evidence fails to demonstrate that the decision was based on Martínez Beltrán's race and/or gender.

Likewise, the credible evidence presented establishes that more likely than not, Turner did not yell at or push Martínez Beltrán during the special Council meeting held on February 7, 2025. It is undisputed that Turner touched Martínez Beltrán, but the credible evidence presented fails to establish that Turner's contact with her was aggressive or that it was motivated by Martínez Beltrán's gender, race, and/or her running against him in the November 2024 election.

III. METHODOLOGY OF THE INVESTIGATION

The following persons were interviewed as part of this investigation:

1. Council Member/Vice Mayor Yvonne Martínez Beltrán, on April 1, 2025 and April 3, 2025;
2. Christina Turner, City Manager, on April 23, 2025;
3. Council Member Marilyn Librers, on April 29, 2025;
4. Council Member Miriam Vega, on April 29, 2025;
5. Council Member Soraida Iwanaga, on May 1, 2025;
6. Don Larkin, City Attorney, on May 7, 2025; and
7. Council Member/Mayor Mark Turner, on May 13, 2025.

The witnesses were interviewed via Zoom, and their interviews were audio-recorded.¹

The witnesses were told that they were expected to provide honest and forthright answers to the questions asked. They were also reminded of the City's policy against retaliation and told to not take any retaliatory

¹ Copies of the recordings are available upon request.

action against anyone who participated in this investigation and to report any retaliation directed against them.

The undersigned did not interview all witnesses mentioned in the course of the investigation if, in the assessment of the undersigned, the witness did not have direct, relevant, or significant information related to the specific incidents within the scope of the investigation, or if the undersigned obtained the information from a different credible witness or source.

The following documents were reviewed and relied upon as part of this investigation:²

1. Morgan Hill Police Department Incident Report 2502070085-1; and
1. List of City Council Appointments to Outside Agencies (Committee List).

In addition to this document, the undersigned watched a video of the interaction between Martínez Beltrán and Turner that occurred during the February 7, 2025 Council meeting.

IV. DESCRIPTION OF THE ALLEGATIONS – INTERVIEW OF YVONNE MARTÍNEZ BELTRÁN³

Martínez Beltrán had been a Council Member for seven years at the time of her interview and was the Mayor Pro Tem.

Martínez Beltrán advised that she has tried very hard to work with Turner, and she shared that she was successful in doing so for approximately 1½ years. Martínez Beltrán reported that she ran against Turner for Mayor in the November 2024 election, and since that time, he has retaliated against her. She identified her race as Latina and opined that Turner mistreated her because she is not a White woman. Martínez Beltrán opined that Turner has a problem with all women, regardless of their race. She later clarified that she thinks he has a problem with “women who are competent and intelligent.”

A. Committee Assignments

Martínez Beltrán reported that one of the ways in which Turner retaliated against her was by withholding committee assignments from her. She explained that each year, members of the City Council discuss what committees they are interested in and why they would bring value to their requested committees. Martínez Beltrán opined that Turner stripped her of her duties serving on prestigious committees, knowing that she is trying to build relationships with her colleagues, in an effort to prevent her from being reelected to the City Council.

According to Martínez Beltrán, the Mayor usually attends Cities Association meetings, while the Mayor Pro Tem serves as an alternate.⁴ She maintained that for the past 10 years, the Mayor Pro Tem has served as the alternate, and the City has a chart identifying the Mayor Pro Tem as the alternate for the Cities Association. According to Martínez Beltrán, Turner directed City staff to delete the language on the chart identifying the Mayor Pro Tem as the alternate, and he reappointed Council Member Marilyn Librers to the Cities Association as the alternate even though Librers is no longer the Mayor Pro Tem.

Martínez Beltrán opined that Turner did not want her to be a part of the Cities Association because being on that committee would allow her to “get to know” the Mayors and Vice Mayors of neighboring cities. She also assumed that he did not want her to be reelected to the Association of Bay Area Governments (ABAG) Board of Directors, which she explained requires that she have “relationships with a lot of people.”

² These documents are attached as exhibits to this report.

³ During her interview, Martínez Beltrán reported several incidents that occurred prior to November 2024, including decisions Turner made during his first term as Mayor. At the direction of the City, incidents that occurred during Turner’s first term as Mayor and during the 2024 election are not included within the scope of this investigation.

⁴ Martínez Beltrán described the Cities Association as a “powerful committee” in Santa Clara County, and explained that representatives from all of the cities in the County are part of this committee which makes policy decisions for the County.

Martínez Beltrán reported that a few days after the February 7, 2025 incident, she called Libers to talk to her about the Cities Association Committee. According to Martínez Beltrán, she initially sent Libers a text message, and Libers responded that she was not comfortable talking to Martínez Beltrán in private. Martínez Beltrán shared that she told Libers she understood and asked if they could meet with City Manager Christina Turner (C. Turner) so that a third party was present, but Libers responded that she preferred not to meet with her at all, so she sent Libers an email asking her the questions she had about the committee. She noted that Libers did not respond to her email, but shortly thereafter, C. Turner called her to tell her that Libers received her email and wanted to keep her committee assignments. Martínez Beltrán opined it was odd that Libers did not want to talk to her, and she assumed that Libers felt this way because she was intimidated by Turner.

Martínez Beltrán advised that Turner also removed her from most of her committee assignments. She shared that she was elected to the Valley Transportation Authority (VTA) Policy Advisory Committee and is on the Executive Board for the Silicon Valley Clean Energy (SVCE) Committee, so she remained in those assignments. However, she maintained that she waited for “years” to be assigned to the City/School Liaison Committee, and she noted that she has three school-aged children, which is why she is passionate about that committee. According to Martínez Beltrán, she was part of the committee in 2024, but Turner removed her and assigned Council Member Miriam Vega to the City/School Liaison Committee.⁵ Martínez Beltrán noted that Vega is a school teacher in Salinas. She explained that Turner said he was trying to accommodate each Council Member’s requested assignments and to be fair, but she opined it was not fair that she waited for two years to be assigned to the committee, and then Vega was given her assignment.

Martínez Beltrán advised that when Turner first became the Mayor in 2023, she was very interested in joining the Executive Board for the League of California Cities (LCC) Peninsula Division. She explained that the Mayors in the region appoint people to the Executive Board, so she contacted Turner to tell him she had been working with the LCC and would appreciate his support to join the Executive Board to represent Morgan Hill. According to Martínez Beltrán, Turner asked her about the LCC and the Executive Board, so she educated him about both and told him about the committees she had served on for the LCC. Martínez Beltrán advised that Turner told her that he would support her joining the Executive Board. According to Martínez Beltrán, she ran for the Executive Board but was not selected.

Martínez Beltrán reported that the following year, she applied to join the LCC Executive Committee and contacted Turner to ask for his support, but he did not respond to her. She stated that she made several attempts to contact Turner, but he never responded to her until just before the ballots were due, when he told her that he too applied to join the LCC Executive Board. Martínez Beltrán shared that she was selected for the Executive Board, but she pointed out this incident as an example of Turner not being collaborative and being “underhanded.” She noted that the situation was embarrassing for her because she did not know that “her own Mayor” was running against her.

B. February 7, 2025 Incident

Martínez Beltrán explained that the workshop that took place on February 7, 2025, was to “set the stage” for the year and establish expectations. She shared that during the workshop, the departments gave presentations on their projects and priorities. According to Martínez Beltrán, the workshop is a good time for the Council Members to come together to show the departments and the public that they are “on the same page.” She noted that the meeting is less formal than regular Council meetings and that they are set up on the floor instead of on the dais.

Martínez Beltrán explained that during the meeting, the tables were set up like a horseshoe, with Turner seated in the middle and Martínez Beltrán to his left. She noted that next to Turner was C. Turner, and then Libers, who sat next to Martínez Beltrán. According to Martínez Beltrán, to the right of Turner was Vega, then Iwanaga, and then Larkin.

⁵ Martínez Beltrán explained that the City/School Liaison Committee includes two primary members and two alternate members from the City Council. She stated that Turner and Vega are the primary members, while she and Libers and alternates, but Libers is “alternate one,” and she is “alternate two.”

Martínez Beltrán reported that at the end of January 2025, she asked the Mayor to include an item on the City Council meeting agenda regarding the Council issuing a statement saying that the City will protect the rights of all residents regardless of their immigration status. She stated that Turner declined to put the item on the agenda and told her to follow the “full process” to have an item added to the agenda, which she stated would take 1½ months. Martínez Beltrán shared that she spoke to C. Turner about this because it was an urgent issue that needed to be addressed quickly. According to Martínez Beltrán, C. Turner told her that Turner directed that she follow the full process.

Martínez Beltrán advised that she researched the policies and learned that a Council Member can invoke a special meeting or emergency meeting, which she assumed Turner was not aware of because during the February 7, 2025 workshop for goal-setting and to establish the Council's priorities, he refused to allow her to talk about the “immigration policy” because it was not on the agenda. According to Martínez Beltrán, she tried to explain to Turner that the City Council could consider the policy as part of an emergency or special meeting, and that she wanted the City Council to meet the next day for a special meeting. Martínez Beltrán noted that the workshop was originally scheduled for two days, but Turner canceled the second day because, in her opinion, Turner “did not want to listen to four women for one day, let alone two days.”

According to Martínez Beltrán, Turner refused to schedule a special meeting, so she made a motion to schedule the meeting. She stated that she wanted a formal vote on her motion, but Turner never asked for a second to her motion and instead said that he sensed the other Council Members did not want to meet. Martínez Beltrán reported that Turner then called a recess, which was not planned, and cut Martínez Beltrán off as she was talking.

Martínez Beltrán opined that the resolution she wanted put on the agenda was timely because it would protect the rights of all City residents, regardless of immigration status, in reaction to the fear created by the mass deportations.

During her initial interview, Martínez Beltrán explained that when Turner called for a break, she got up to get some food, which was on the other side of the room from where she was sitting, and as she walked behind where Turner was sitting, she saw him shake his head, but she did not recall the first one or two words she said. She reported that Turner yelled at her, “You’re going to get in line,” while pointing with his right hand, so she replied to him, “You’re too much.”

According to Martínez Beltrán, Turner then reached out with his right hand and pushed her on her right forearm. She denied that he pushed her on or near her stomach. Martínez Beltrán reported that she yelled out, “You just pushed me, are you out of your mind? Did you just put your hands on me? What are you thinking? Don’t touch me.” She stated that Turner then turned to her, waved, and said, “Go on, get along.” She noted that he did not deny that he pushed her.

During her second interview, Martínez Beltrán advised that after she got up and walked towards the table where there were drinks, Turner approached her, shook his head, and yelled at her, “You’re too much.” According to Martínez Beltrán, Turner pointed at her like he was talking to a child and said, “You are going to get in line.” Martínez Beltrán advised that she put her hands up, and as she was walking away, Turner “reached out and pushed” her on her arm. She reported that she took a step back and said, “Oh my God, did you just push me? Are you out of your mind? Did you just put your hands on me?” She stated that Turner then said to her, “Go on, get along,” and “shooed” her away.⁶

Martínez Beltrán stated that City Attorney Don Larkin was present when Turner pushed her, and she said to Larkin, “Oh my God, he just pushed me, you saw that? I have to do something.” According to Martínez Beltrán, Larkin responded, “Yes,” and told her that she needed to file a report and talk to Human Resources.

⁶ Martínez Beltrán reported that the video she watched showed Turner pursuing her and showed that she did not walk towards him. It is unclear if the video Martínez Beltrán watched is the same video provided to the undersigned. During her interview, she noted that the video of the workshop meeting cut off when Turner called for a break because a slide with the agenda stopped the video during the break.

According to Martínez Beltrán, she provided the Police Department with a list of 24 names of witnesses to Turner pushing her.⁷ However, she later learned that the Police Department interviewed only C. Turner and Larkin, both of whom she noted can have their positions revoked by the Mayor.⁸

Martínez Beltrán reported that the video she observed showed Turner's elbow move for a split second as he walked towards her. She maintained that she did not walk towards the Mayor, but rather, he walked towards her. She noted there is no audio with the video. Martínez Beltrán maintained that the video clearly shows Turner pursuing her as she walked away from him with her hands up.

Martínez Beltrán noted that when Turner pushed her, everyone except for Librers was standing up. She stated that when she spoke to C. Turner about the incident, C. Turner told her she did not see anything but heard Martínez Beltrán say to Turner, "Don't touch me."

Martínez Beltrán opined that Turner would not have pushed a man or a White woman. She further opined that he has "an issue with race" because he was not willing to "do the immigration resolution" she brought forward and because when there was a Muslim hate crime in the City, Turner did not say or do anything.

According to Martínez Beltrán, Turner was a pastor for 10 to 15 years for a very conservative church. She heard secondhand that Turner "taught obedience" as a pastor. She noted that Turner often paraphrases her to tell her what she means, and that he constantly interrupts her, even when she should be given five minutes of speaking time during Council meetings. Martínez Beltrán reported that Turner muted her on the dais when her time ended, even though she had one more point to make and they were not discussing anything that was controversial.

V. WITNESS INTERVIEWS

A. Committee Assignments

1. City Manager Christina Turner⁹

C. Turner shared that since the November 2024 election, there had been escalating tension between Turner and Martínez Beltrán. She opined that Turner tries to follow the policies and procedures in place related to the rules and norms for Council Members, but there were occasions when Martínez Beltrán wanted to veer away from the policies, which created tension between them. She also noted that there were occasions when Turner and Martínez Beltrán voted differently on an issue, which may have contributed to the tension.

According to C. Turner, when the Mayor was making committee assignments, Martínez Beltrán wanted to keep some of the committees she was assigned the year prior, but the newer Council Members also wanted to serve on committees, so they requested certain committee assignments. C. Turner noted that she does not play any role in assigning committees to Council Members, and she pointed out that there is a Council policy directing that the Mayor recommend committee assignments, which the City Council ratifies.

C. Turner stated that Martínez Beltrán expressed concerns about her committee assignments, which were an ongoing concern for Martínez Beltrán over the years. According to C. Turner, Martínez Beltrán felt very strongly about having certain committee assignments. However, she noted that Martínez Beltrán did not respond to the email C. Turner sent to all Council Members asking them to identify the committee assignments they wanted and explaining that Turner would then prioritize giving them their requested assignments.

⁷ Martínez Beltrán agreed to provide a witness list to the undersigned, but as of the date of this report, she had not done so.

⁸ The Incident Report provided to the undersigned shows that Librers, Council Member Soraida Iwanaga, and Vega were also interviewed by a Police Officer. See Exhibit 1.

⁹ C. Turner has been the City Manager since 2017. She has been employed by the City since March 2016. C. Turner reports to the Mayor and the Council Members.

C. Turner reported that after the assignments were disseminated to Council Members, Martínez Beltrán questioned why certain committee assignments she previously held were reassigned to others. She explained that she shared Martínez Beltrán's concerns with Turner, but he stood by his recommendations and did not want to make any changes. According to C. Turner, Martínez Beltrán did not provide her list of requested committee assignments until after the list was disseminated to the Council Members. She did not know why Martínez Beltrán did not respond to C. Turner's initial email.

C. Turner shared that one of the committees that Martínez Beltrán was most upset about was the City/School Liaison Committee. She explained that Vega is a public school teacher and was new to the City Council, so Turner thought it was appropriate for Vega to be placed in this assignment. C. Turner noted that Vega also expressed interest in the assignment.

C. Turner advised that the other committee Martínez Beltrán was upset about was the Cities Association. She reported that Turner is the primary committee member, and the alternate was typically the Mayor Pro Tem, but Turner chose to keep Librers in the assignment to maintain continuity, which C. Turner opined was a valid reason. She noted that every City chooses their primary and alternate members differently and that until 2025, the Mayor Pro Tem was the alternate for the City. According to C. Turner, there is no City policy requiring that the Mayor Pro Tem serve as the alternate for the Cities Association Committee.

C. Turner stated that Martínez Beltrán attended meetings when she was not the appointed committee member and an alternate was not needed.

C. Turner opined that Turner does not have any lingering ill-will towards Martínez Beltrán for running against him for Mayor. She explained that Turner is professional and cordial, and he does not let "campaign stuff" get in the way of carrying on City business.

C. Turner opined that Turner does not have any bias against women or any issue working with women. She noted that Turner is the only male member of the City Council. She further opined that Turner does not have any animus against Martínez Beltrán based on her race. She noted that three of the four female Council Members are Latina. C. Turner stated that Turner never said or did anything that led her to believe he discriminates against females or Latinas.

C. Turner shared that Turner expressed concerns to her regarding interactions he had with Martínez Beltrán, including expressing concerns about the dynamics during City Council meeting, such as Martínez Beltrán taking more than her allotted time to speak, not following processes regarding agenda items, and ignoring other protocols.

2. Council Member Marilyn Librers¹⁰

Librers reported that as of the date of her interview, she was an alternate for the Cities Association Committee. She did not know if this was a position typically held by the Mayor Pro Tem, and she noted that while she was the Mayor Pro Tem in 2024, she was not a part of the Cities Association Committee.

Librers initially denied having any communication with Martínez Beltrán about her (Librer's) committee assignments. However, she subsequently reported that Martínez Beltrán asked her to forgo her assignment as an alternate for the Cities Association and the LCC so that she (Martínez Beltrán) could serve on these committees. Librers shared that this conversation occurred publicly, during the February 7, 2025 workshop. She did not recall Martínez Beltrán saying why she wanted these particular committee assignments. According to Librers, when Martínez Beltrán asked her to forgo the assignments, Librers said that she was interested in getting involved and would like to keep the assignments. Librers noted that these committees were new to her in 2025, and acknowledged that she did not specifically request these assignments.

¹⁰ Librers has been a member of the City Council for 11 total years, but not consecutive ones. Recently, she was on the City Council for 1½ years. Librers was the Mayor Pro Tem in 2024 but never served as Mayor. Librers is Caucasian.

Librers shared that Turner spread out the assignments so that the two new Council Members could learn about the different committees. He stated that Turner told the Council Members that he tried to share the committee assignments equally to give the two new Council Members an opportunity to learn.

According to Librers, in prior years, Martínez Beltrán had most of the committee assignments. Librers shared that when she returned to the City Council after a four-year break, she was surprised that she was not assigned to any committees. She opined that it makes sense to spread out the committees.

Librers stated that she had only one interaction with Martínez Beltrán regarding the committees, during the February 7, 2025 workshop. She shared that the only one-on-one communication she had with Martínez Beltrán since the November 2024 election involved the Council Members' travel budget.¹¹ According to Librers, in the past, Council Members submitted reports for their expenses, but now they are limited to \$3,000 per year. However, she said, Martínez Beltrán always spent more than the other Council Members. She noted that Martínez Beltrán was the only Council Member upset about being given a budget and asked that there be a pool of money that all of the Council Members could pull from, which the other Council Members were against.

Librers reported that Martínez Beltrán was very upset during the meeting in which the travel budget was discussed, so she "called [Librers] out" by asking Librers for whatever money she had left over and did not use. According to Librers, she said, "No," but Martínez Beltrán "was like a dog with a bone" and would not let it go.

Librers explained that she saw Martínez Beltrán at a social event the following Saturday, told her that she was sorry they "went head-to-head," and explained that from her perspective, they have budgets at home they need to live by and budgets at work they need to live by, and she was not willing to give up any of her budgets. According to Librers, Martínez Beltrán was not happy with her, so Librers told her they should try to work together and asked her for a hug, but Martínez Beltrán walked away.

Librers reported that she avoids Martínez Beltrán because she does not like confrontation and because Martínez Beltrán is confrontational when she does not get her way. She opined that Martínez Beltrán was surprised when she (Librers) stood up for herself regarding her committee assignments.

Librers described her professional relationship with Turner as "very good." She does not have any concerns about him being the Mayor and opined that he was doing an "excellent job." She denied that Turner has any issue with women or working with women, and she maintained that he has not mistreated her in any way. She similarly denied that Turner has animus against non-Caucasians, and she noted that the two new female Council Members are Hispanic. Librers maintained that she has not been mistreated by Turner in any way, and she denied that he intimidates her.

Librers stated that Martínez Beltrán publicly accused Turner of retaliating against her regarding the committee assignments because she ran against him for Mayor. She opined that Martínez Beltrán's logic did not make sense, as Turner had no reason to be upset with Martínez Beltrán because she lost.

Librers did not recall telling Martínez Beltrán that she was not comfortable speaking to her privately, but she acknowledged that during the election, when Martínez Beltrán called her many times, she did not return the calls. Librers also did not recall Martínez Beltrán calling her a few days after the February 7, 2025 workshop. However, during her interview, she checked her phone log and confirmed that Martínez Beltrán called her on February 17, 2025. Librers advised that she did not answer or return the call. She acknowledged that she may have asked C. Turner to tell Martínez Beltrán that she was not willing to change her committee assignments.

¹¹ Librers later corrected herself and reported that this conversation with Martínez Beltrán occurred prior to the November 2024 election because it was the prior City Council that voted on each Council Member having a travel budget.

3. Council Member Miriam Vega¹²

Vega advised that she is part of the City/School Liaison Committee, Valley Water Commission, Santa Clara Valley Habitat Agency, and the August Creek Committee, which are the assignments she requested. She noted that the Council Member she replaced served on some of these committees, so she knew there were vacancies, and she requested to be appointed to the City/School Liaison Committee because she is a school teacher.

Vega stated that no one indicated to her that there were any issues with the committees to which she was assigned, but she shared that Martínez Beltrán called her to ask her to consider allowing her to serve on the City/School Liaison Committee. According to Vega, she explained to Martínez Beltrán that she specifically asked to be assigned to that committee because she is a school teacher, and she told Martínez Beltrán that after her first year as a Council Member, if she was not doing what was expected of her on the committee or was doing a bad job, she would allow Martínez Beltrán to “have her spot.” She noted that Martínez Beltrán was not happy with her response, so when Martínez Beltrán called her a second time, Vega did not answer the phone. She reported that Martínez Beltrán asked her about the City/School Liaison Committee on two occasions privately, once publicly during Vega’s first City Council meeting, and on two occasions during the February 7, 2025 workshop. Vega stated that each time Martínez Beltrán asked her to “give” her the City/School Liaison Committee, she responded the same way.

Vega shared that during the February 7, 2025 workshop meeting, Martínez Beltrán was very upset that she was removed from several committees. Vega reiterated that twice that day, Martínez Beltrán asked her to let her “have” the City/School Liaison Committee because she had been waiting for years to be assigned to that committee. According to Vega, Martínez Beltrán told her that she was not assigned to the City/School Liaison Committee “because of retaliation,” but she did not specify for what she was retaliated against. Vega maintained that even though Martínez Beltrán was very upset, she (Vega) did not back down. She noted that initially when she joined the City Council, Martínez Beltrán was assigned to eight committees, while the new Council Members had none until the Mayor asked them to specify the committees in which they were interested.

Vega reported that during the next City Council meeting, when the committee assignments were publicly announced, Martínez Beltrán was still upset. According to Vega, before the meeting started, Martínez Beltrán told her that it was very important to her to participate on the City/School Liaison Committee and that she had waited four years to sit on the committee. Vega shared that Martínez Beltrán also said it was not fair that Vega was assigned the committee during her first year on the City Council. She noted that during the Council meeting after the February 7, 2025 workshop, the City Council voted to approve the committee assignments.

Vega shared that in March 2024, during a luncheon hosted by Gayle Palin, Martínez Beltrán “ambushed” Vega and told her that there was “seniority and ranks” on the City Council and that she should be respectful of the senior Council Members. According to Vega, Martínez Beltrán told her that she was “disappointed” in her, and said that the only reason Vega was elected was because Martínez Beltrán supported her running.

Vega advised that she did not have any difficulty working with Turner. She noted that even though they do not always agree, he did not treat her inappropriately or differently based on her gender. Vega reported that when she ran for election to the City Council, she did not focus on her race but instead focused on being a school teacher and a woman. She noted that even though she and Turner never discussed that she is Hispanic, she believes that he knows she is Hispanic.

Vega stated that she had no reason to believe that Turner has any animus towards Martínez Beltrán based on her race. She shared that during the campaign, Martínez Beltrán told her that Turner is a racist and not to trust him. Vega opined that Turner tried to “lighten the conversation” with Martínez Beltrán and joke with her at times, but whenever Martínez Beltrán addressed Turner, she did so in a sarcastic manner and with

¹² Vega was elected to the City Council in November 2024 and was sworn in in December 2024. She identified her race as Hispanic Mexican.

an undertone of dislike. According to Vega, there were occasions during Council meetings when Martínez Beltrán “attacked” Turner by falsely accusing him of saying or doing something that Vega knew he did not do or say. She noted that during the LCC conference, when she went to a dinner with Martínez Beltrán and Turner, Martínez Beltrán sat next to Turner with her back to him the whole time and rolled her eyes. She opined that Turner is respectful towards Martínez Beltrán, but his respect is not reciprocated.

4. Council Member Soraida Iwanaga¹³

Iwanaga advised that she is a member of the Sister Cities, Santa Clara Water, and Waste Management committees. She noted that C. Turner sent her an email shortly after she was elected to the City Council asking her to create a list of committees she was interested in joining. She stated that she is a nurse and that working with youth appealed to her.

According to Iwanaga, she told C. Turner that she was interested in whatever committee she was needed because she did not know very much about any of the committees or which ones would be interesting to her. She stated that she expressed interest in any committee involving commuting because she commutes long hours, but she was not appointed to anything related to commuting. Iwanaga noted that it made sense to her that Vega was assigned to a committee involving youth because Vega is a school teacher.

Iwanaga pointed out that she is assigned to the least number of committees.

Iwanaga advised that she has not been mistreated by Turner, nor has she observed him engage in any behavior that she thought was inappropriate or unprofessional. Iwanaga stated that she does not have any reason to believe that Turner has animus towards females or Hispanic women.

5. City Attorney Don Larkin¹⁴

Larkin reported that he attends most City Council meetings, including special meetings. He stated that on the rare occasion that he does not attend a Council meeting, the Assistant City Attorney attends on his behalf.

Larkin did not recall having any one-on-one communications with Martínez Beltrán about her committee assignments prior to February 7, 2025, but he heard thirdhand during a meeting with Turner, C. Turner, and the City Clerk that Martínez Beltrán was not happy with her assignments. Larkin assumed that C. Turner or the City Clerk mentioned the committee assignments to notify Turner that Martínez Beltrán was unhappy.

According to Larkin, during this meeting, Turner explained some of his reasons for making the changes to the assignments he recommended. For example, Larkin stated, Turner said that because he is on the board for the Peninsula LCC committee, he wanted someone else to have an opportunity to get involved on the committee. He did not recall Turner’s explanations for other committee assignments but noted that they seemed reasonable to him at the time.

Larkin reported that the committee assignments have to be formally adopted by the City Council and that during the special meeting on February 7, 2025, everyone except Martínez Beltrán was happy with the assignments. According to Larkin, Vega spoke up and said that if Martínez Beltrán had her way, she (Vega) would have no committee assignments because Martínez Beltrán wanted to be assigned to all the committees. Larkin noted that following that interaction, Martínez Beltrán did not seem fully engaged and left the meeting shortly thereafter.

According to Larkin, during the next Council meeting, Martínez Beltrán was still upset about not being assigned as the alternate for the Cities Association Committee, which typically is assigned to the Mayor Pro Tem. Larkin shared that Turner said it was “not a hard-and-fast rule” requiring the Mayor Pro Tem to

¹³ Iwanaga was elected to the City Council in December 2024. She identified her race as Hispanic/Mexican American.

¹⁴ Larkin has been the City Attorney for approximately nine years, reporting to the City Council.

be the alternate. According to Larkin, this upset Martínez Beltrán because there used to be a note on the committee assignment list that indicated the alternate for the Cities Association is the Mayor Pro Tem, but the note was deleted on the final version of the assignment list. Larkin opined that Martínez Beltrán was upset because she did not get her way.

Larkin denied having any knowledge of Turner having difficult interactions with women in general. He reported that there are a lot of women in leadership positions within the City. He stated that he never observed Turner having a difficult interaction with any female employee, but he noted that he saw Turner get frustrated with both men and women and not always act in a positive manner.

Larkin advised that prior to the November 2024 election, Martínez Beltrán was the only Latina on the City Council, but during the November 2024 election, two Latinas were elected to the City Council. He opined that Turner's actions with Vega and Iwanaga were professional. He had no knowledge of Turner having any animus to females or Latinas.

6. Council Member/Mayor Mark Turner¹⁵

Turner advised that when he was elected Mayor in November 2022, Martínez Beltrán was a member of the City Council. He did not serve on the Council prior to being elected Mayor.

Turner stated that he recommended Martínez Beltrán to be the Mayor Pro Tem, with the rest of the Council approving his appointment. He stated that he could have kept Libers in the Mayor Pro Tem position, but he noted that the assignment is typically for one year, so it made sense for him to recommend Martínez Beltrán. Turner shared that the other two Council Members were brand new to the Council, so they would probably not understand their role if they had to fill in for Turner.

Turner advised that after the November 2024 election, the conflicts between him and Martínez Beltrán were consistent with what they were in the past, in that Martínez Beltrán was abrupt with him, "somewhat insulting," and aggressive in tone.

According to Turner, Martínez Beltrán was disruptive and dismissive with his predecessor. He noted that she does not follow the protocols, rules, and regulations governing the City Council. For example, Turner stated, Martínez Beltrán disregards the time limit to speak placed upon each Council Member. He shared that although his predecessor did not enforce this Council norm, he campaigned on running efficient Council meetings, so when Martínez Beltrán exceeded her time limit, he interrupted her to move on. He stated that Martínez Beltrán objected to Turner stopping her and that they spent several minutes arguing about the rules all Council Members are expected to abide by because she "does not like being told no."

Turner shared that when he stopped Martínez Beltrán from speaking or belaboring a point, she made "little insults," which he opined were intended to draw him into an argument. He stated that he apologized to her on one occasion after she cast her vote incorrectly and asked to correct it, but he said they were "not going back." According to Turner, he thought about his decision a bit more and decided he did not handle the situation appropriately, so he apologized to Martínez Beltrán after the meeting and told her that next time she made a mistake voting, he would allow her to recast her vote.

Turner advised that in 2023, while they were reviewing the budget, C. Turner pointed out to him that most of the Council Members spend approximately \$3,000 or less for travel expenses, but Martínez Beltrán spent approximately \$8,000. He noted there was no specific budget limiting the amount of travel expenses at the time, so there was some discussion among the Council Members about setting a limit for each Council Member, and former Council Member Renee Spring recommended the limit be \$3,000.

According to Turner, Spring said that if he did not use his full \$3,000 budget, he would give the remainder to Martínez Beltrán for her to use, but the Council agreed that was not an acceptable use of a Council

¹⁵ Turner has been the Mayor since December 2022. He was reelected in November 2024 for another two-year term. Turner is Caucasian.

Member's travel budget. Turner reported that Martínez Beltrán verbally assaulted every Council Member who agreed with the \$3,000 limit, which was approved by the 2024 City Council.

Turner stated that he recommends committee assignments to the City Council, which votes on his recommendations. According to Turner, he worked with C. Turner to have the Council Members review the various committees and let them know if they had any preferred assignments. He noted that everyone responded to C. Turner's request by the due date except for Martínez Beltrán.

Turner advised that Martínez Beltrán did not notify him or C. Turner of her preferred assignments until after he included his recommendations as part of the agenda packet for the February 7, 2025 meeting.¹⁶ He explained that after the agenda was published, C. Turner notified him that Martínez Beltrán was upset that she did not keep all of the assignments she had the prior year. He shared that he did not have any communication with Martínez Beltrán about the committee assignments, but rather, Martínez Beltrán expressed her displeasure with the assignments to C. Turner.

Turner stated that dividing the committee assignments was more challenging than he anticipated. He explained that there were two new Council Members who wanted to be involved in committees. Turner shared that he removed Martínez Beltrán from two or three of the committees she previously served on to ensure the new Council Members had committee assignments.

Turner advised that he recommended Vega for the City/School Liaison Committee because Vega is a school teacher, so it made sense for her to be a part of this group. He noted that he left Librers as the alternate for the Cities Association because he wanted there to be continuity on the committee. According to Turner, there is no rule requiring the Mayor Pro Tem be assigned to the Cities Association Committee. Turner reported that Martínez Beltrán remained in her LCC assignments and remained a part of the VTA Advisory Board.

Turner explained that the Mayor is assigned to the VTA Board and that the Mayors for the Cities of Gilroy and Morgan Hill alternate serving on this Board. He shared that his other assignments include the Cities Association, the City/School Liaison Committee, and the Silicon Valley Regional Interoperability Advisory (SRVIA). He noted that he recommended Librers for the CalTrain Local Policymaker Group and removed himself from this assignment.

B. February 7, 2025 Incident

1. City Manager Christina Turner

C. Turner advised that she attended the goal-setting workshop on February 7, 2025. She described the purpose of the workshop as for the City Council to discuss its vision and its priorities for the upcoming year. She explained that the workshop is a publicly noticed Council meeting, with one being held in January or February of each year and a mid-year workshop in August.

According to C. Turner, the February 7, 2025 meeting started at 9:00 a.m., and by 9:20 a.m., the Council took a break because the meeting was "so intense." C. Turner explained that Martínez Beltrán wanted the Council to adopt a resolution regarding immigration. She noted that prior to the meeting, Martínez Beltrán requested the resolution be included on the agenda, but Turner declined to include it as part of the agenda for the goal-setting workshop and instead thought the resolution should follow the usual process Council Members followed to have items agendized. C. Turner stated that during the meeting, there was "a lot of back-and-forth" regarding the resolution, with Martínez Beltrán wanting it addressed that day and Turner saying the resolution would be considered as part of the regular process for agendizing items.

C. Turner advised that Turner was seated to her right, while Martínez Beltrán was to her left. According to C. Turner, after Turner called for a break, Martínez Beltrán walked behind C. Turner towards Turner. She stated that she did not see Turner touch Martínez Beltrán but that the video she watched shows Turner

¹⁶ Turner advised that the agenda packet was published four days prior to the February 7, 2025 meeting.

touching Martínez Beltrán on the shoulder. C. Turner reported that she heard Martínez Beltrán say, “Don’t touch me,” using a raised voice. She stated that she did not hear Turner respond, but Turner later told her that he said to Martínez Beltrán, “Hey, you need to calm down.” C. Turner shared that she was still sitting at the time and that both Turner and Martínez Beltrán were standing to her right. She also shared that she did not hear Martínez Beltrán make any other comments to Turner, nor did she hear Turner say to Martínez Beltrán, “You’re going to get in line,” or “Go on, get along.”

C. Turner assumed that based on where Larkin was sitting, he observed the interaction between Martínez Beltrán and Turner.

C. Turner described the room as “tense” after the interaction between Turner and Martínez Beltrán. She stated that after the break, there was no discussion about the interaction, but the meeting continued with an ice-breaker, a discussion of the City’s accomplishments, and public comment. She noted that no one mentioned the incident between Turner and Martínez Beltrán during public comment.

According to C. Turner, after public comment, the City Council discussed their committee assignments, which she described as a “tough” conversation. C. Turner noted that Martínez Beltrán was very distracted after the break and on her phone, and at some point, she left the room and was in the parking lot with her husband.

According to C. Turner, there is no lingering ill will by Turner towards Martínez Beltrán. C. Turner maintained that since the February 7, 2025 incident, Turner has been cordial and professional in his interactions with Martínez Beltrán.

2. Council Member Marilyn Librers

According to Librers, during the February 7, 2025 workshop, Martínez Beltrán was mad that she was not assigned to the City/School Liaison Committee. She stated that during the meeting, Vega stood up for herself and explained why she should be on the committee, while Martínez Beltrán claimed that she had been on the committee for several years and knew the other members of the committee and how the committee works. Librers stated that Martínez Beltrán was also mad that Librers was assigned to the Cities Association as the alternate.

Librers advised that during the February 7, 2025 meeting, she sat next to Martínez Beltrán. She explained that the City Council was seated in a U-shape, with Turner in the middle. According to Librers, during the meeting, Martínez Beltrán would not stop talking, so Turner banged his gavel and politely told Martínez Beltrán that she had her turn. She shared that Martínez Beltrán kept talking, so Turner banged his gavel again and called an unplanned 10-minute break. She noted that she had never seen that happen before during her 11½ years on the City Council. Librers reported that at some point before the break, Martínez Beltrán said to Turner, “You’re retaliating against me because I ran against you for Mayor.”

Librers stated that the Council Members stood up and Martínez Beltrán walked towards Turner. She noted that it was very narrow where they were seated on the floor, and she wondered to herself why Martínez Beltrán did not walk the other way around the tables to get a beverage.

According to Librers, as Martínez Beltrán walked past Turner, he “lightly brushed her hand,” and said to her, using a low volume, “Calm down, [Martínez Beltrán].” She stated that Martínez Beltrán took a few more steps and then yelled, “Don’t touch me.” She shared that Martínez Beltrán again said, “Don’t touch me,” but louder the second time.

Librers opined that Turner tapped Martínez Beltrán on the hand to “try to make peace with her.” She denied seeing Turner grab or hit Martínez Beltrán, and she maintained that Turner barely touched her. She also denied seeing Turner touch Martínez Beltrán’s arm. Librers stated that she did not hear Turner say to Martínez Beltrán, “You’re too much,” “You’re going to get in line,” or “Go on, get along.” She also stated that she did not hear Martínez Beltrán ask Turner, “Did you just push me?” She maintained that even though she was not standing right next to Turner and Martínez Beltrán, she could hear what they said to

each other because she was standing by her seat and Turner was standing by his seat, with only C. Turner's seat between them. She estimated that she was approximately 72 inches from where Turner was standing.

Librers advised that she had not spoken with Martínez Beltrán about the incident that occurred during the February 7, 2025 meeting.

3. Council Member Miriam Vega

Vega advised that Martínez Beltrán arrived late to the February 7, 2025 meeting, and when she arrived, she interrupted whoever was speaking to say that she wanted to discuss "what was going on with immigration." According to Vega, Martínez Beltrán maintained it was urgent and was adamant that it needed to be discussed during that meeting. She stated that Larkin explained to Martínez Beltrán that there is a process to follow for topics to be discussed during Council meetings, and because immigration was not included on the agenda, they could not discuss it. She noted that Larkin and Turner explained to Martínez Beltrán multiple times that it was not possible for them to discuss immigration during that meeting.

Vega reported that the discussion became heated, so Turner struck the gavel and said they would take a 15-minute recess to calm down. Vega noted that she was sitting to the right of Turner.

Vega advised that during the break, she was speaking with Iwanaga and Martínez Beltrán, and C. Turner told them to "break it up" because of the Brown Act, so they explained to C. Turner that they were talking about something personal. According to Vega, while she, Iwanaga, and Martínez Beltrán were talking, Turner tapped Martínez Beltrán from behind her on the left shoulder to get her attention. Vega reported that in response, Martínez Beltrán loudly said, twice, "Get your hands off of me, don't touch me." She shared that Turner "backed off."

Vega maintained that Turner barely tapped Martínez Beltrán to get her attention. She noted that she was standing with her back to the audience, facing the wall, and that C. Turner was standing nearby to the left of her. According to Vega, Iwanaga and Librers were also standing near them.

Vega maintained that she saw Turner come up from behind Martínez Beltrán and tap her on the left shoulder. She stated that she was uncomfortable after hearing Martínez Beltrán scream, so she took a few steps to walk away from the situation.

Vega reported that when the meeting continued, Martínez Beltrán seemed "very distraught" and was on her phone. She shared that at some point, approximately 15 to 20 minutes after the break ended, Martínez Beltrán left the meeting and did not return.

4. Council Member Soraida Iwanaga

Iwanaga stated that she attended the workshop on February 7, 2025, and she opined that as soon as Martínez Beltrán arrived, the mood in the room changed. She explained that she was seated directly across from Martínez Beltrán, and based on Martínez Beltrán's tone and body language, Iwanaga could tell that she was unhappy with Turner because she wanted to discuss something that was not on the agenda, and he would not allow there to be any discussion. She described the meeting as "tense."

According to Iwanaga, before the break, the Council discussed Martínez Beltrán's resolution and committee assignments. She noted that Martínez Beltrán was unhappy that she was not given certain committee assignments, causing the others to feel as if they had to "defend" their assignments.

Iwanaga shared that the Council Members were seated in a U-shape, with her and Vega on one side of the U, and Librers, Martínez Beltrán, the City Clerk, and the Police Chief on the other side, and Turner in the middle of the U. According to Iwanaga, when Turner called for a break, everyone stood up and moved towards the area behind her and Vega, where there was a table of snacks. She explained that she was talking to Vega, but as she did so, she saw Martínez Beltrán walk in Turner's direction and talk to him.

Iwanaga reported that there was a “huge cacophony of ‘get your hands off me’” and “don’t touch me,” and then everyone froze. According to Iwanaga, Turner leaned in to Martínez Beltrán and said to her, “Hey, let’s talk.”

Iwanaga stated that after Martínez Beltrán yelled, she walked towards Iwanaga and Vega, and Iwanaga told her that she needed to calm down because they would discuss her resolution another time.

Iwanaga advised that if Turner touched Martínez Beltrán, it would have been for a millisecond because she saw Martínez Beltrán walk towards him. She stated that she did not see exactly where Turner’s hands were in relation to Martínez Beltrán and did not see any physical contact between them.

Iwanaga shared that Turner has a habit of tapping people on their arm to get their attention, which is what she assumed Turner did because he was leaning towards Martínez Beltrán like he wanted to talk to her. She noted that Libreros and C. Turner were next to or near Turner, and she further noted that it was a very small space to walk past Turner to get to the table with the snacks. She opined that Martínez Beltrán should have gone around the other side of the tables to the food table because there was more room to walk.

Iwanaga denied having any communication with either Martínez Beltrán or Turner about the incident. She acknowledged that she may have asked Turner if he was okay, and she stated that she was concerned for him “knowing the power that women can have,” especially when a woman yells, “Get your hands off of me.”

Iwanaga opined that the situation may have been staged by Martínez Beltrán. She stated that she had a “weird sense” about this, and she shared that Martínez Beltrán arrived at the meeting “on the attack” regarding the committee assignments.

5. City Attorney Don Larkin

Larkin advised that he attended the February 7, 2025 meeting, which he described as the City Council’s annual goal-setting meeting for the upcoming year. Larkin explained that the Council barely got to the adoption of the agenda when Martínez Beltrán said she wanted to add an item to the agenda for a resolution addressing immigration issues related to the Trump administration’s immigration enforcement policies. According to Larkin, there was an approximately 15-minute exchange regarding why they could not add an agenda item because doing so would violate the Brown Act.

Larkin noted that Turner seemed unhappy that the meeting was “hijacked” less than five minutes after it started. He opined it was a little “heated,” especially after the other Council Members expressed that they did not want to discuss anything other than what was on the agenda.

According to Larkin, the agenda was adopted approximately 20 minutes into the meeting, at which point Turner called for a five-minute break to “cool off.” He stated that instead of taking the time to decompress and step away, Martínez Beltrán headed straight for Turner as soon as he called the break. Larkin shared that he assumed Martínez Beltrán was going to talk to him (Larkin), so he stayed in his seat, but then he saw Martínez Beltrán approach Turner and say something to him. Larkin stated that Martínez Beltrán looked angry. He advised that he did not hear what she said, but given that she appeared angry, he stood up and walked towards Turner and Martínez Beltrán to try to defuse the situation. According to Larkin, Martínez Beltrán could have walked around the open part of the tables to avoid interacting with Turner, but instead, Martínez Beltrán walked towards the narrow gap where Turner was standing to confront him. He opined that she walked “pretty deliberately” towards Turner.

Larkin reported hearing Turner say to Martínez Beltrán fairly loudly, “You need to calm down,” or words to this effect, which he opined was the wrong thing for Turner to say to Martínez Beltrán. He noted that Turner has a habit of putting his hands on people to comfort them, or tapping them, which he observed Turner do to Martínez Beltrán. He explained that he observed Turner extend his arm and hand as if he were going to tap Martínez Beltrán on the shoulder, but Larkin did not see Turner actually touch Martínez Beltrán. He stated that he heard Martínez Beltrán say, “Don’t touch me,” or “Take your hands off me,” or words to this effect, and he assumed this was because Turner touched her on her shoulder.

According to Larkin, Martínez Beltrán walked towards him, asking him if he saw what happened. Larkin reported that when Martínez Beltrán asked him if he saw what happened, he replied that he did, not knowing what she thought Larkin saw. He later clarified that he told Martínez Beltrán that he did not see anything but heard her say, "Don't touch me."

Larkin maintained that he did not hear Martínez Beltrán use the word "push," nor did he see anything to indicate that Turner pushed Martínez Beltrán. He explained that if Turner had pushed Martínez Beltrán, he (Larkin) would have seen that. He further maintained that he did not see Turner point his finger at Martínez Beltrán, nor did he hear him say to her, "You're going to get in line."

According to Larkin, Turner has tapped him on the shoulder before, in a reassuring manner. He advised that Turner did that to him all the time, so it did not surprise him to see Turner do it to Martínez Beltrán. He noted that Martínez Beltrán had also tapped him on the shoulder on occasion. Larkin maintained that he was not concerned that Turner touched Martínez Beltrán on the shoulder, but rather, he wished that Turner did not tell Martínez Beltrán to "calm down," as doing so did not help the situation.

Larkin advised that Martínez Beltrán told him that she wanted to make a complaint, so he directed her to Human Resources. He stated that the meeting resumed a short time later and was productive for one or two hours until there was discussion about the committee assignments.

Larkin reported that during a meeting with Martínez Beltrán and Human Resources Director Michael Horta, they let her vent because she was very emotional. He stated that they told Martínez Beltrán that they did not have any authority over Turner because he is an elected official, but they would retain someone to investigate what happened. According to Larkin, during this meeting, Martínez Beltrán mentioned that Turner pushed her, so they recommended to her that she make a police report if she felt she was physically assaulted.

6. Council Member/Mayor Mark Turner

Turner reported that leading up to the meeting on February 7, 2025, he knew that Martínez Beltrán was not happy about the committee assignments. He stated that she also asked him to add an agenda item for a resolution regarding immigration, and that he told her it was not an item to be discussed during the goal-setting workshop, but they could include it on the agenda for the February 19, 2025 City Council meeting. Turner advised that he knew Martínez Beltrán was very upset with him about that as well.

According to Turner, a few minutes into the February 7, 2025 meeting, Martínez Beltrán "took over" and said that it was an emergency situation and that the Council needed to pass a resolution regarding the mass deportations. He noted that Larkin tried to stop Martínez Beltrán from discussing a resolution that was not on the agenda but was unsuccessful in doing so. Turner shared that after 30 minutes of back-and-forth, he called for a five-minute break.

Turner explained that he was seated at the head of the U-shaped arrangement, with C. Turner to his right, and then two Council Members, Martínez Beltrán and Libreros. According to Turner, as he stood up to signal the break, Martínez Beltrán stood up and walked towards him. He noted that he did not know where she was going, but it would have been a clearer path for her to go around the U the other way.

Turner reported that Martínez Beltrán walked up to him, invading his personal space, "jawing" at him, and "carrying on very aggressively." He stated that he said to her, "Hey, you've got to calm down." According to Turner, his hands were "in the air moving" because he talks with his hands, and his hand brushed against Martínez Beltrán's wrist. Turner shared that Martínez Beltrán immediately started screaming, "Don't touch me, don't touch me." Turner said he replied, "Whatever," and walked away. He shared that he wondered to himself if Martínez Beltrán designed the incident to make him look bad.

Turner stated that immediately after the break, the Council discussed committee assignments. He noted that Martínez Beltrán was very engaged in this discussion, and he described her as "critical, aggressive, combative, and bullying" towards the other Council Members. He stated that she had a number of supporters present who spoke about how wonderful she is and how much experience she has. Turner

shared that Martínez Beltrán “demanded” all of her assignments back, so Turner explained to her that it was the City Council’s decision and that the recommendations were already made. According to Turner, a vote approving his recommended assignments passed four-to-one.

Turner advised that after the lunch break, Martínez Beltrán “just sat and sulked, sent emails,” and eventually left the meeting.

Turner shared that he watched a video of the exchange between himself and Martínez Beltrán. He noted that there was no audio but that the video shows Martínez Beltrán walk past him and a verbal exchange occur between them. However, he stated, there is no indication that Turner pushed Martínez Beltrán, and that the only one who appeared to be yelling was Martínez Beltrán.

According to Turner, Iwanaga and Librers saw the entire exchange.

Turner shared that Martínez Beltrán tends to have disruptive relationships with the other Council Members. He stated that prior to the 2024 election, Librers told him that Martínez Beltrán said to her that she and Turner are “too old and too White to be on this Council.” He also reported that Hispanic women who supported him during the election said that Martínez Beltrán questioned why they supported Turner because he is not “one of us.”¹⁷

Turner advised that shortly after the event, he spoke to both Librers and Iwanaga about what they observed, and they were in “total shock.” He noted that others observed Martínez Beltrán to be very aggressive and combative with him, but on February 7, 2025, reported that she took on the whole City Council.

VI. FINDINGS OF FACT

The purpose of this report is to make findings of fact on the allegations of misconduct made against Turner. This report does not express any opinion as to whether any of the actions described herein rise to the level of a violation of City policies or State law.

In conducting this investigation, the undersigned did not set out to prove or disprove the allegations, but rather to gather information in a neutral fashion and reach reasoned conclusions. The City gave the undersigned the discretion to conduct this investigation without interference and did not attempt to influence the findings in this report. The factual findings were made by carefully analyzing the documentary and testimonial evidence gathered as part of the investigation.¹⁸

A. Credibility Assessment

It is important to note that prior to making a determination regarding the facts as alleged, the credibility of each witness was considered. In evaluating a witness’s credibility, many factors were considered, including possible bias or motivation to lie, the ability of a witness to recall information, the specificity of the information provided, whether the information provided was consistent with prior statements made by the witness and/or statements made by other witnesses, and the inherent plausibility of the information provided.

There is reason to question the reliability of what several of the witnesses reported. Specifically, both Martínez Beltrán and Turner have questionable credibility due to their motivation to downplay their conduct on February 7, 2025, to avoid public disapproval. Additionally, Martínez Beltrán is potentially motivated to falsely attribute conduct to Turner because she is upset that she lost the election for Mayor to him, while he is potentially motivated to seek retribution against Martínez Beltrán for running against him. Additionally, Martínez Beltrán was visibly upset with Turner during the February 7, 2025 meeting when he would not allow her to discuss her proposed resolution, which could also motivate her to make

¹⁷ Turner acknowledged that he did not hear Martínez Beltrán make these comments.

¹⁸ The facts are assessed using a preponderance of the evidence (more likely than not) standard of proof. What might be considered hearsay in a legal proceeding was considered and given appropriate weight in this investigation.

false allegations against him, or exaggerate what occurred between them, in order to make him look bad to those present in the room and his constituents.

Although there is no reason to believe that C. Turner, Larkin, and the other Council Members intentionally misrepresented what they observed, the reliability of some of the information they provided is questionable because what they reported is inconsistent with what is depicted on the video provided by C. Turner.¹⁹ More likely than not, discrepancies in their statements stem from varying perceptions and recollections of the specific incidents that are within the scope of this investigation, and the passage of time.

Specifically, the video depicts that both C. Turner and Librers remained seated when Martínez Beltrán stood up and walked towards where Turner was standing. Martínez Beltrán incorrectly reported that C. Turner was standing when the incident between her and Turner occurred. The video also depicts Turner lift his right arm slightly and appear to touch Martínez Beltrán's left forearm, and not her shoulder, as reported by C. Turner and Vega. The video then shows Turner put his arm down and continue interacting with Martínez Beltrán for a couple of seconds. At no time does the video depict Turner pointing at Martínez Beltrán.

Several of the witnesses appear to conflate different breaks or conversations that occurred during the February 7, 2025 meeting. For example, Vega reported that just prior to the incident between Martínez Beltrán and Turner, she and Iwanaga were talking to Martínez Beltrán, and C. Turner approached them to caution them about the Brown Act. However, the video shows that C. Turner remained seated during the incident between Martínez Beltrán and Turner, and that the interaction occurred within seconds of Martínez Beltrán standing up and walking towards the other side of the room before she got near where Vega and Iwanaga were seated and/or standing.

The video of the full meeting posted on the City's website has a "filler screen" during the break, so there is no public video of the interaction between Martínez Beltrán and Turner. What this video shows is that at approximately 18 minutes into the meeting, Turner called for a five-minute break. Prior to the break, the only discussion involved the immigration resolution Martínez Beltrán wanted to adopt. There was no discussion about the committee assignments prior to the break. In fact, this discussion did not occur until approximately 80 minutes after the meeting began.

Further undermining Martínez Beltrán's credibility is that her description of what occurred during her interview with the undersigned is inconsistent with what she reported to the police.²⁰ Notably, in the police report, the responding Police Officer wrote that when Martínez Beltrán reenacted what occurred between her and Turner, she used her right hand with fingers extended to push her husband's stomach, causing him to move backwards.²¹ According to the police report, Martínez Beltrán confirmed to the Police Officer that she was pushed in the stomach and that the push caused her to move backwards. During her interview with the undersigned, Martínez Beltrán denied that Turner touched her stomach.

Based upon the foregoing, when analyzing the evidence presented to make the following findings, the undersigned relied primarily on the video she was provided, and not the inconsistent descriptions of what occurred.

¹⁹ The video provided to the undersigned does not have any audio after Turner and Martínez Beltrán stood up, nor does it show Vega, Iwanaga, or Larkin.

²⁰ See Exhibit 1.

²¹ During the reenactment, Martínez Beltrán played the role of Turner, while her husband played the role of Martínez Beltrán.

B. Findings Of Fact

1. Committee Assignments

The credible evidence fails to establish by a preponderance of the evidence that Turner recommended removing Martínez Beltrán from committee assignments or recommended that she not be assigned to committee assignments based on her race, gender, and/or because she ran against him for Mayor. Rather, it is more likely than not that Turner's recommendations were based upon what he perceived to be a fair and equitable distribution of assignments.

Martínez Beltrán's claim that she was somehow mistreated by Turner based on his recommendations is undermined by the fact that she was given the opportunity to provide C. Turner with a list of her preferred committee assignments but failed to do so. Whereas Librers, Vega, and Iwanaga responded to C. Turner's email asking the Council Members to identify the committees they wanted to be assigned to, Martínez Beltrán did not respond.

Further, Turner and the other Council Members provided a legitimate explanation for why Turner's recommendations made sense. For example, Vega is a school teacher and is the only school teacher on the City Council, and it is logical for her to serve as the City/School Liaison Committee. Additionally, Turner's explanation that he wanted continuity on the Cities Association Committee is reasonable in light of the fact that the Librers wanted the assignment and had served in the same role the year prior, and that there is no rule proscribing that the Mayor Pro Tem serve as the alternate. The fact that past practice was to appoint the Mayor Pro Tem as the alternate to the Cities Association Committee does not require Turner to continue with past practice.

Finally, Martínez Beltrán claims that she was removed from multiple committee assignments, evidencing that Turner has animus against her. What she fails to recognize is that the City Council has five members, two of whom were new to the City Council and expressed an interest in serving on committees. The chart of assignments included on the City's website shows that Martínez Beltrán is the primary Council Member assigned to seven committees, while Librers, Vega, and Iwanaga are assigned to fewer committees than Martínez Beltrán.²² These numbers undermine Martínez Beltrán's claim that she was subjected to disparate treatment compared to her colleagues on the City Council, or that Turner harbored any animus against her based on her race, gender, and/or the fact that she ran against him for Mayor.

2. February 7, 2025 Incident

Martínez Beltrán's claim that during the February 7, 2025, meeting, Turner pushed her is not corroborated by the credible evidence presented, specifically the 20-second video provided to the undersigned. Additionally, none of the witnesses interviewed observed Turner push Martínez Beltrán.

It is undisputed that during the February 7, 2025 City Council goal-setting meeting, during a break, Turner touched Martínez Beltrán. Turner admitted to engaging in this conduct, and the video confirms there was some sort of contact between them. What Turner credibly denied doing, and what is not depicted on the video, was pushing Martínez Beltrán. The video also does not show Turner yelling at Martínez Beltrán or "scolding her like a child," as she reported to the police. Further, the video does not depict Turner pointing his finger at Martínez Beltrán.

Whereas Martínez Beltrán claims that Turner pushed her and that she said to him, "Don't push me," all of the witnesses who were present and observed the interaction between Turner and Martínez Beltrán reported hearing Martínez Beltrán use the word "touch" and not the word "push." This is significant because Turner was described by Larkin and others as someone who "talks with his hands," and therefore, he touches people when speaking to them. Martínez Beltrán's use of the word "push" implied that Turner's contact with her was aggressive or violent, which is much different from a "touch."

²² The chart, obtained from the City's website, is attached to this report as Exhibit 2.

It is also undisputed that Turner told Martínez Beltrán to “calm down.” Turner admitted making a comment to this effect, and Larkin and Librers corroborated hearing this comment.

Turner reported during his interview that he recommended Martínez Beltrán be appointed Mayor Pro Tem, which was ratified by the other Council Members. Although he could have recommended any Council Member to serve as Mayor Pro Tem, he credibly explained that he did not think it was appropriate for Vega and Iwanaga to serve in this role given they are brand new to the City Council. Turner could have recommended Librers serve another term as Mayor Pro Tem, but he did not do so, undermining Martínez Beltrán’s claim that Turner harbors any animus against her for running against him for Mayor.

The undersigned relied primarily on the video provided by C. Turner because it provides the most reliable and objective information regarding the interaction at issue. Moreover, as noted above, there were a number of factual discrepancies between what all of the witnesses reported. Significantly, the video footage shows Martínez Beltrán walking towards where Turner was standing, instead of walking around the tables on the other side to avoid interacting with him. The video also shows Martínez Beltrán putting up her arms as she nears Turner, and him sticking out his right arm, which appears to come into contact with Martínez Beltrán’s right arm. The video indicates that Turner continues to engage with someone who is off screen, presumably Martínez Beltrán, for approximately five seconds before he returns to his seat and sits down. What the video does not depict is Turner yelling or pointing at Martínez Beltrán as she approaches him, which directly contradicts what she alleged.

VII. CONCLUSION

Based upon the foregoing, the allegations against Turner are not sustained. The credible evidence presented fails to establish by a preponderance of the evidence that Turner was improperly motivated by Martínez Beltrán’s race, gender, and/or her running against him for Mayor when he did not recommend Martínez Beltrán for the committee assignments she wanted or when he touched her arm during the February 7, 2025 Council meeting. Similarly, the credible evidence presented does not show by a preponderance of the evidence that Turner yelled at, pointed at, and pushed Martínez Beltrán, or otherwise engaged in any aggressive conduct towards her during the February 7, 2025 Council meeting.

If any further assistance is needed, please do not hesitate to ask.

Respectfully Submitted,



Karen Kramer
Kramer Workplace Investigations



Morgan Hill Police Dept. - CA

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Incident Report 2502070085-1 (Report 1 of 1)

Incident Report 2502070085-1

Primary Officer: Ginther, Michael (299)

Assigned District: Team D

Overview

Incident Overview

REPORT PURPOSE R - Person Crime			
INCIDENT FROM DATE 02/07/2025	INCIDENT FROM TIME 09:30	INCIDENT TO DATE	INCIDENT TO TIME
REPORTED DATE 02/07/2025		REPORTED TIME 15:53	
LOCATION City Hall, 17555 Peak Ave, Morgan Hill, CA, 95037, USA			
LOCATION NOTE City Council Chambers		LOCATION CATEGORY Government/Public Building	
DOES DATE INDICATE REPORT DATE? Yes	ZIP CODE	ARRC INDICATOR No	IDENTITY THEFT INDICATOR No
DOMESTIC VIOLENCE INDICATOR No	GANG TYPE	BWC ACTIVATED? Yes	TRAFFIC COLLISION INVOLVED? No

Involved Officers

OFFICER Ginther, Michael (299)	BWC ACTIVATED? Yes	UNIT ID 299	PROPERTY/EVIDENCE? No
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Other Agencies Involved

OTHER AGENCIES INVOLVED? No

Case Factors

DISTRIBUTION REQUESTS		
☐ Adult Protective Services	☐ CPS	☐ City Attorney
☐ DA Citation	☐ DA In Custody	☒ DA Warrant
☐ DPW	☐ JPD	☐ Other
☐ Other Agencies		

SYNOPSIS On the above date, time, and location, a public meeting was held with city officials. During a recess following a heated topic, it was alleged that offender pushed the victim causing a mild amount of pain. The victim desired criminal prosecution of the offender. Video surveillance and witness statements were obtained that were not consistent with the victim's statement. I am submitting this report for District Attorney review.
--

Offenses

242 - BATTERY ON PERSON - MIS

Author: Ginther, Michael

Offenses (continued)

242 - BATTERY ON PERSON - MIS (continued) Author: Ginther, Michael

OFFENSE 242 - BATTERY ON PERSON - MIS	NIBRS UCR CODE 13B	SEVERITY MISDEMEANOR
EXCLUDE FROM NIBRS		
COMPLETION C		

Additional Details

OFFENDER IS SUSPECTED OF USING? No	WAS CRIMINAL OR GANG ACTIVITY IN- No	WAS WEAPON/FORCE INVOLVED? Yes	WAS BIAS MOTIVATION INVOLVED? No
CONSUMPTION LOCATION			
TYPE OF WEAPON/FORCE INVOLVED			
☐ 11 - Firearm	☐ 11A - Automatic Firearm	☐ 12 - Handgun	
☐ 12A - Automatic Handgun	☐ 13 - Rifle	☐ 13A - Automatic Rifle	
☐ 14 - Shotgun	☐ 14A - Automatic Shotgun	☐ 15 - Other Firearm	
☐ 15A - Automatic Other Firearm	☐ 20 - Knife/Cutting Instrument	☐ 30 - Blunt Object	
☐ 35 - Motor Vehicle/Vessel	☒ 40 - Personal Weapons	☐ 50 - Poison	
☐ 60 - Explosives	☐ 65 - Fire/Incendiary Device	☐ 70 - Drugs/Narcotics/Sleeping Pills	
☐ 85 - Asphyxiation	☐ 95 - Unknown	☐ AA - Drowning	
☐ AB - Strangulation	☐ AC - Hanging	☐ HA - Imitation Handgun	
☐ OA - Other	☐ OB - BB/Pellet Gun	☐ OC - Taser/Stun Gun	
☐ OD - Pepper Spray	☐ OE - Neglect		
PERSONAL WEAPON DETAILS Hands	CARGO THEFT	METHOD OF ENTRY	
HATE CRIME OFFENSIVE ACT	NUMBER OF PREMISES ENTERED		

Names

Offender/Suspect - [REDACTED] Mark [REDACTED] Author: Ginther, Michael

Involvement

Role: Offender/Suspect Offense: 242 - BATTERY ON PERSON - MIS

Relationships

Name: [REDACTED], Yvonne Is: Otherwise Known

Identity

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Identifying Documents

Names (continued)

Offender/Suspect - [REDACTED] Mark [REDACTED] (continued) Author: Ginther, Michael

[REDACTED]

Suspect Status
Suspect Status: Warrant Request

Victim - [REDACTED], Yvonne Author: Ginther, Michael

Involvement
Role: Victim Offense: 242 - BATTERY ON PERSON - MIS

[REDACTED]

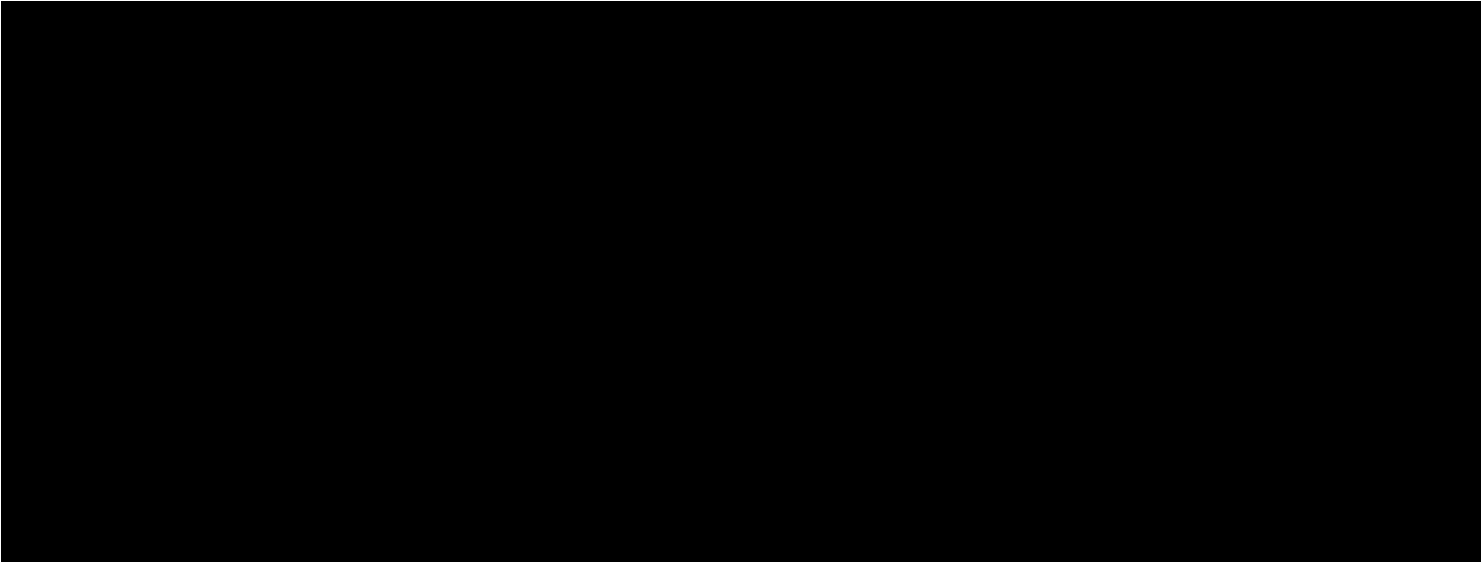
Witness - [REDACTED] Donald [REDACTED] Author: Ginther, Michael

Names (continued)

Witness - [REDACTED] **Donald** [REDACTED] (continued) **Author:** Ginther, Michael

Involvement

Role: Witness



Witness - [REDACTED] **Christina** [REDACTED] **Author:** Ginther, Michael

Involvement

Role: Witness



Witness - [REDACTED] **Soraida** [REDACTED] **Author:** Ginther, Michael

Involvement

Role: Witness

Names (continued)

Witness - [REDACTED] Soraida [REDACTED] (continued) Author: Ginther, Michael

[REDACTED]

Witness - [REDACTED] Marilyn Author: Ginther, Michael

Involvement
Role: Witness

[REDACTED]

Other - [REDACTED] Michelle [REDACTED] Author: Ginther, Michael

Involvement
Role: Other

[REDACTED]

CAO COPY

Names (continued)

Other - [REDACTED] Michelle [REDACTED] (continued) Author: Ginther, Michael

[REDACTED]

Other - [REDACTED] Sergio [REDACTED] Author: Ginther, Michael

Involvement

Role: Other

[REDACTED]

Witness - [REDACTED] MIRIAM Author: Ginther, Michael

Involvement

Role: Witness

[REDACTED]

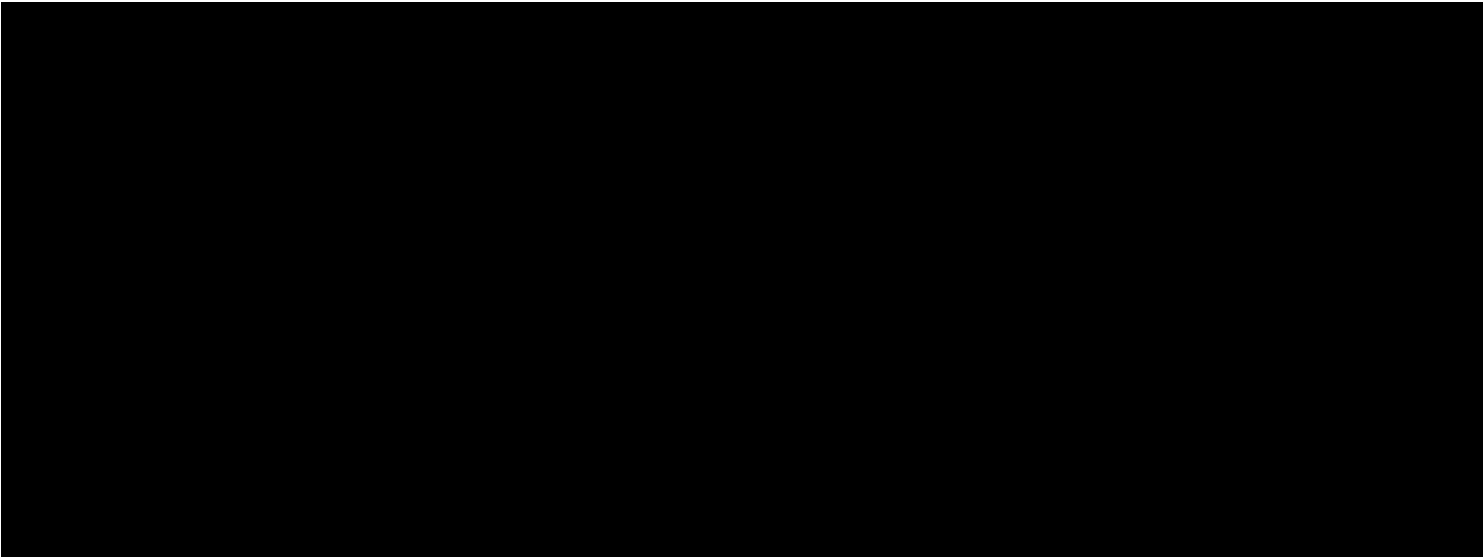
CAO COPY

Names (continued)

Other - [REDACTED] Michael [REDACTED] Author: Ginther, Michael

Involvement

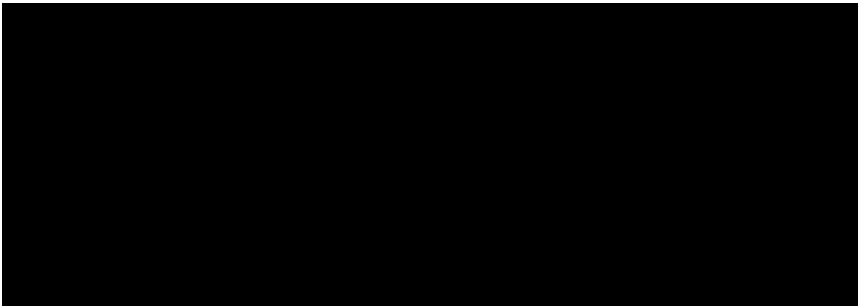
Role: Other



Other - [REDACTED] Nick Author: Ginther, Michael

Involvement

Role: Other



Vehicles

None reported.

Property

Evidence - OTHER Author: Ginther, Michael

Involvement

Role

ROLE
E - Evidence

CAO COPY

Property (continued)

Evidence - OTHER (continued) Author: Ginther, Michael

OFFENSE 242 - BATTERY ON PERSON - MIS
PROPERTY STATUS

Description

TYPE Other		VALUE
RECOVERED VALUE	X = OVER 3 DRUG TYPES	SERIAL NUMBER
DESCRIPTION USB 3.1 64GB - Digital Video Recording of city council session 2.58 hours.		
COLOR Blue	BRAND Micro Center	MODEL USB3.1
ARTICLE		

Related People

Related Person

Related Organizations

Related Organization

Recovery Details

RECOVERY DATE	RECOVERED BY
LOCATION	
LOCATION NOTE	

Narrative by Ginther, Michael

First Submitted: 02/08/2025 18:48

SUMMARY:

On 02/07/2025, during a city council meeting an interaction occurred between Mayor Mark [REDACTED] and City Council Member Yvonne [REDACTED]. Yvonne alleged a battery had occurred against her and desired criminal prosecution. Yvonne stated she was pushed by the mayor which caused her mild pain. I interviewed the parties involved and reviewed the video recording of the interaction and meeting. Yvonne's statement was inconsistent with all other parties interviewed and video recording. I was unable to determine if a crime had occurred and I am submitting this report to the District Attorney's office for review.

DISPOSITION:

Case pending - District Attorney Review

ADDITIONAL CHARGES:

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

PC 242

INJURY TO:

N/A

NARRATIVE:

On 02/07/2025, at approximately 1550 hours, I was dispatched to the Morgan Hill Police Department lobby at 16200 Vineyard Blvd in the City of Morgan Hill for the report of prior battery. The battery had occurred during a city council meeting in the council chambers located at 17555 Peak Ave. I arrived in the lobby and met with City of Morgan Hill Council Member Yvonne [REDACTED] and her husband.

Yvonne provided the following statement.

STATEMENTS OF YVONNE:

On 02/07/2025, at approximately 0930 hours, there was a council workshop at the council chambers. The discussion was heated, and the mayor (Mark [REDACTED]) was not happy about it. The floor was setup with chairs in a semi-circle and was an information meeting that was recorded.

Yvonne had proposed a resolution which revolved around immigration, which the mayor had told her prior not to put it in the workshop. Yvonne had researched policies with the attorney, that she wanted to explore but the mayor told her she could not speak. The mayor got frustrated and ended the meeting for a break.

Yvonne got up from her chair and walked over to get something to drink. Yvonne and the mayor passed by each other and Yvonne was shaking her head while the mayor was yelling and scolding her (like she is his daughter) while pointing in her face. The mayor told her she was too much and to get in line.

The mayor then pushed Yvonne. When Yvonne was explaining that she was pushed by the mayor, she re-enacted it on her husband. I asked Yvonne if that is how she was pushed and she showed me again, but it was different than the first time.

I asked Yvonne if her and her husband would act out the incident and show me how she was pushed.

Yvonne was pointing with her finger up in the air as if she was the mayor and as if her husband was her. Yvonne stated the mayor was yelling her, "You're not gonna this.." Yvonne responded, "You're too much" with her hands out to her sides. The mayor then pointed at her and said, "You're going to get in line." Yvonne then demonstrated a shove where her right hand and fingers were extended and pushed into her husband's stomach causing him to move backwards. I clarified if Yvonne had been pushed to where she also had been pushed backwards, which she responded, "Yeah."

I later asked Yvonne if she had felt any pain from the push. I gave Yvonne a scale from 0 to 10, where 0 pain is no pain and 10 pain is the worst pain she had ever felt. Yvonne told me she felt a 2 to 3 out of 10 pain, when she was pushed and shocked that it had occurred. Yvonne declined any medical attention.

Yvonne asked the mayor, "Did you just put your hands on me? Don't touch me." The mayor responded along the lines of, "Get along, or go on." Yvonne stated, "Oh my God, I cannot believe you put your hands on me." Yvonne turned and told the City Attorney, Donald Larkin, that the mayor had just pushed her.

Yvonne then spoke with the city attorney about what she should do and then later went to the Morgan Hill Human Resources Department and spoke with the HR manager Michael [REDACTED] about the incident.

Yvonne then returned to the council chambers to continue the meeting and was shaken and could not believe what had happened. Yvonne was upset and the meeting continued, and no further altercations occurred.

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

Yvonne did not notice if anyone had witnessed the incident but told me the city council and public were present. Yvonne believed no one came forward to do something or say something because he is the mayor.

I explained the process for a citizen's arrest for a misdemeanor. Yvonne desired criminal prosecution against the mayor for the battery.

Yvonne then went on to ask about how to obtain a prior reported incident. I referred her to the MHPD Records Division for a copy of the report. I answered additional questions not related to this incident and Yvonne provided no further statements regarding the battery.

Based upon Yvonne's statements and interaction with the City Attorney, Donald [REDACTED] I contacted him for an interview. I met with Donald at 17555 Peak Ave in his office and he provided the following statement.

STATEMENTS OF DONALD:

Donald was in the meeting in the council chambers. I asked Donald what had happened. Donald explained there was a heated discussion about a resolution on immigration. The meeting became heated between council member Martinez and the mayor. The mayor called for a five-minute break.

Yvonne stood up and began to walk around the seating area, Donald believed she was coming to talk to him because of an earlier discussion. Donald noticed Yvonne walk towards the mayor where there was a small gap to get around him, which he approximated to be 3ft. As opposed to walking around the larger opening towards the public.

Donald heard Yvonne say something to the mayor but could not make out what she had said. Donald was headed to talk to Yvonne when he heard the mayor say fairly loudly, something like, "You need to calm down."

Donald then went on to explain the mayor's habit of placing his hand on their shoulder. Donald saw what looked like the mayor was about to put his hand on her shoulder and heard Yvonne yell "Don't put your hands on me."

Donald believed the mayor had reached out with his left hand. Donald did not see his right hand or notice his right hand doing anything. Yvonne then continued by the mayor and met with Donald to make a personnel complaint. Donald explained the process to Yvonne about the internal city procedure.

I asked Donald if anyone else had witnessed the incident and he was not sure, and no one said anything to him. I asked if Yvonne had complained about any pain or if he had seen the mayor strike her or she had struck him. Donald went on to state the altercation did not look physical to him and that it was a habit of the mayor to touch people's shoulder and that is what it looked like to him. Donald did not see any pushing or act of pushing and if he had he would have reported it to police. Donald stated the interaction between Mark and Yvonne was probably a couple of feet from each other and not quite face to face.

The city manager, Christina [REDACTED] opened Donald's office door for another officer that had just arrived to assist. I asked Christina if she was present during the meeting which she stated she was. I met with Christina in her office next door, and she provided the following statement.

STATEMENTS OF CHRISTINA:

Christina stated the meeting had begun at 0900hours and began to explain who was present at the meeting which included, five council members, the mayor and the leadership team. During the meeting Yvonne wanted to move forward with a discussion for action and the council did not want to go in that direction. The meeting became tense, and the mayor stated they were going to take a 5-minute break. Christina explained where Yvonne was sitting in comparison to Mark and saw Yvonne get up and go towards where Mark was at and heard Mark say to Yvonne, "You need to calm down." Christina then heard Yvonne say, "Don't touch me."

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

Christina did not see any physical altercation occur between Mark or Yvonne. I asked Christina if there was possibly anyone else that had witnessed the altercation. Christina told me council members Soraida and Miriam had possibly witnessed the incident.

Christina provided me with information on how to obtain the video recording of the meeting and the contact information for both council members. I called Soraida [REDACTED] and arranged to meet with her at the corner of Monterey Rd and W 3rd St next to Ladera Grill where she was located. I met with Soraida, and she provided me the following statement.

STATEMENTS OF SORAIDA:

I met with Soraida and asked her what had happened during the meeting. Soraida stated the only thing that she had seen was Yvonne walking towards the mayor and she was already upset. The mayor reached out gently and lightly touched Yvonne on her left wrist. Soraida explained the touch was as if it meant to say, "I wanna talk to you."

Soraida again explained Yvonne was already emotional and very upset because she was wanting to make a resolution about immigration which caused tension.

Soraida heard the mayor tell Yvonne, "Let's talk about this" and saw him reaching out to her with his right hand.

Soraida did not see any physical altercation or push occur. Soraida again stated that all that happened was the mayor reached out with his hand to get her attention. Soraida heard Yvonne stated, "Don't touch me, don't touch me."

The council took a 5-minute break, and the session returned, and Yvonne was on her phone the afterwards texting.

Following my interview with Soraida a city employee, Michelle [REDACTED] with access to the video surveillance told me another city employee, Sergio [REDACTED] would come by at a later time and provide me with video footage.

NARRATIVE CONTINUED:

On 02/08/2025, I continued my investigation into the alleged incident that had occurred. I called Mayor Mark [REDACTED] and arranged an interview at the MHPD. The mayor arrived at the MHPD and wanted to provide a statement in the interview adjacent to the lobby.

I told the mayor I was conducting an investigation into an alleged incident during the council meeting day prior. I told the mayor he was not under arrest or being detained and was free to leave at any point through the unlocked door adjacent to me and back out the main entrance into the police department lobby. The mayor provided the following statement.

STATEMENTS OF MARK:

I told Mark I was investigating an incident that occurred around 0930 hours and asked him what had happened. Mark stated there was a contentious conversation. Mark called for a 5-minute break and stood up. Yvonne began to walk towards him which he assumed she was going to make her way to the other side of the room, and she was "chirping" something.

Mark demonstrated how the interaction occurred and while he was doing so I noticed Mark talked a lot with hand movement.

Yvonne towards him and as he turned towards her, he put the back of his hand with his fingers on her wrist and said, "Hey, you gotta settle down." Mark explained that was it and she said, "Don't touch me, don't touch me." Mark explained that she was saying that in a very raised voice. Mark said he reached out and touched her with his right hand on her left wrist.

After she made those statements, Mark told her she needed to go on her way, and she just walked away. Mark explained that nothing else occurred afterwards and the meeting continued after the 5-minute break.

Mark explained that nothing happened prior to the meeting or after the meeting and that Marilyn [REDACTED] and Soraida [REDACTED] had witnessed it. Mark provided me with both of their contact information.

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

Mark further explained that there was no physical altercation and that there had been no prior incidents of physical altercations or threats between either of them.

STATEMENTS OF MARILYN:

I called Council Member Marilyn and arranged an interview at the MHPD. Marilyn arrived and met with me in the interview room. I told Marilyn I was investigating an alleged incident that had occurred at the city council chambers meeting at around 0930 hours. Marilyn knew what I was referring to and provided the following statement.

Marilyn knew I was talking about the mayor and Yvonne. There had been a heated discussion by Yvonne and she was not getting what she wanted during the meeting. The mayor called for a 5-minute break, banged the gavel and stood up. Marilyn watched her get up and walk towards the mayor and wondered why she would walk past the mayor after the altercation had occurred and that it was a narrow pathway in that direction opposed to going the other direction to get to the other side.

Yvonne got up and walked by the city manager, the mayor reached with his right hand and very kindly told Yvonne to calm down and touched her hand. The mayor did not grab her just touched her hand and provided her comforting words. Marilyn did not see the mayor do anything with his left hand.

Marilyn stated she watched the whole thing. Yvonne then screamed "Don't touch me. Don't touch me." and she jumped back like someone had grabbed her. Yvonne then proceeded to keep walking. Marilyn saw everyone leave for the break and Yvonne went outside.

Marilyn stated she had a clear view of the interaction and that no other physical contact occurred, which she further expanded on as manhandling, grabbing her arm, touching her shoulder, her back, or any other part of her body, other than her hand and just said, calm down. Marilyn explained that Yvonne had just went berserk.

Marilyn reiterated what had happened and explained how the discussion about immigration had let up to her temper flaring. The tension revolved around the issues she had brought up and there was no other altercation before the meeting.

NARRATIVE CONTINUED:

I was provided with video recording from Sergio [REDACTED]. The video surveillance was approximately 3 hours in length. Due to the size of the video recording, I was unable to upload it to Axon's evidence.com directly and I transferred the video onto a USB drive. I later packaged and submitted the digital recording on the USB drive into evidence at the MHPD.

I reviewed the video recording of the meeting and interaction between the Mark and Yvonne. The following is a brief synopsis of that interaction. I did not watch the entirety of the meeting or complete events leading up to the 5-minute break period. Refer to the recording on the USB drive for complete details.

SUMMARY OF VIDEO SURVEILLANCE:

At around 17:40 minutes into the recording tensions had risen and the mayor called for a 5-minute recess. Yvonne can be heard trying to interject and going back and forth with the mayor. The mayor breaks the meeting and stands up and walked to his right. Yvonne stands up and walks towards where the mayor is located and prior to being face to face she puts her hands up at shoulder height while he leaned in towards her as if he was saying something. The mayor can be seen lightly touching Yvonne with his right hand on her left wrist as she continued by him. The two go off to the side of the screen and only Mark is visible.

Mark's elbows are tight next to his waist and then he placed his right hand into his pocket and his left hand can be seen down at his side. Shortly after he spun around and went back to sit in his seat.

At no time during the video recording was there any obvious signs of a push or physical altercation.

NARRATIVE CONTINUED:

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

At the time of completing this report I was unable to determine if a battery had occurred and I am requesting the District Attorney Review this report to determine if a crime had occurred.

I was unable to reach additional potential witnesses and plan to continue my investigation with Supplemental Reports. The additional potential witnesses I plan to interview are Michael [REDACTED] Nick [REDACTED] and Council Member Miram [REDACTED] and add their statements if they witnessed the incident.

EVIDENCE/PROPERTY:

Item #1: USB 3.1 64GB - Digital Video Recording of session 2.58 hours.

ADDITIONAL INFORMATION:

Booking video [not available]

PARTICIPATING LAW ENFORCEMENT:

Cpl. Ginther / 299 / BWC [available]

Narrative by Ginther, Michael

First Submitted: 02/12/2025 12:02

PURPOSE:

Additional Information.

ACTIVITY:

On 02/12/2025, at approximately 1030 hours, I contacted Nick [REDACTED] (City of Morgan Hill Chief Operating Officer) via my department issued cellphone. Nick was present at the meeting but did not witness the incident occur and only heard a commotion during the 0930 break that took place on 02/07/2025.

At approximately 1040 hours, I contacted Miriam [REDACTED] (City Council Member) via my department issued cellphone. Miriam was present during the meeting, seated next to Soraida, and was on her cellphone during the 5-minute break. Miriam heard Yvonne scream, "Don't touch me, don't touch me!" Miriam looked up and saw mark reach out with his left hand as if he was going to pat Yvonne on her shoulder. Miriam did not witness any other physical altercation and felt embarrassed regarding the incident.

At approximately 1050 hours, I contacted Michael [REDACTED] (Human Resources Director) via my department issued cellphone. Michael was present at the meeting but did not witness the incident but was put on notice by Yvonne about the mayor making physical contact with her. Michael and Yvonne had a confidential meeting regarding the incident, and he was unable to provide me the details.

As of the submission of this report, there have been no additional witnesses that have come forward, and no additional evidence has been provided for this incident.

DISPOSITION:

Narrative by Ginther, Michael (continued)

First Submitted: 02/12/2025 12:02

Case pending - District Attorney Review

CAO COPY

Morgan Hill Police Dept. - CA
Incident 2502070085 - Evidence List

Name	Description	Type
-	USB 3.1 64GB - Digital Video Recording of city coun-OTHER cil session 2.58 hours.	

CAO COPY

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Countywide	<u>Santa Clara County Library District Joint Powers Authority</u> 1370 Dell Avenue Campbell, CA 95008 Virginia Johnson, Executive Assistant vjohnson@sccl.org 408-293-2326 x3090 https://scclld.org/jpa/	Provide policy direction and governance for the Santa Clara County Library District. Cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill & Saratoga.	2025 Schedule: Meetings start at 12:00pm • April 24 • June 5 • September 4 • October 30 • January 29, 2026 1370 Dell Avenue Campbell, CA	(P) Turner (A) Vega	
Countywide	<u>Silicon Valley Interoperability Authority</u> <u>Eric Nickel, Executive Director</u> ENickel@svria.org (408) 615-5571 https://svria.org/	The Silicon Valley Regional Interoperability Authority (SVRIA) works to seamlessly integrate voice and data communications between law enforcement, the fire and rescue service, emergency medical services and emergency management for routine operations, critical incidents and disaster response and recovery.	For 2025, meets at 4:00 pm: • January 23 • March 27 • May 22 • September 25 • November 20 Santa Clara Police Department Common Room- 1st Floor 601 El Camino Real Santa Clara, CA	(P) Tom Cline – Gilroy (A) Turner	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Santa Clara Valley Habitat Agency Governing Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Serves as governing body for JPA and makes all decisions except those delegated to the Implementation Board Staff.	Quarterly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Ave	(P) Librers (P) Vega (A) Turner (A) Iwanaga	
Environmental	<u>Santa Clara Valley Habitat Agency Implementation Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Makes recommendations to the Governing Board regarding fees and budget, appoints executive officers and hiring of other agency personnel, services, and equipment, makes decision regarding real property acquisition and makes recommendations to the executive officers regarding grants and other funding.	Bi-Monthly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Ave	(P) Librers (P) Vega (A) Turner (A) Iwanaga (P) Carman (A) Ramirez	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Silicon Valley Clean Energy Authority</u> 333 W. El Camino Real, Suite 290 Sunnyvale, CA 94087 Andrea Pizano andrea.pizano@svcleanenergy.org (408) 721-5301 x.1005 https://www.svcleanenergy.org/board	The JPA created to collectively study, promote, develop, conduct, operate, and manage energy supply and efficiency programs related to the provision of clean power. Recommended two year assignment per SVCE	2nd Wednesday of the month 7:00 pm Cupertino Community Hall 10350 Torre Ave	(P) Martinez Beltran (A) Carothers	
Flood Control	<u>Santa Clara Valley Water District Elected Officials Quarterly Meeting (Llagas Creek PL 566)</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Candice Kwok-Smith Ckwok-smith@valleywater.org 408-630-2345	Specifically address Llagas Creek flooding and Anderson Dam Retrofit Project.	Quarterly on Fridays 10:00 am Currently held via Zoom only	(P) Vega (P) Iwanaga (A) Martinez Beltran	Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Housing	<u>Santa Clara County Housing & Community Development Advisory Committee (HCDAC)</u> Office of Supportive Housing 3180 Newberry Drive, Ste 150 San Jose, CA 95118 Les Clark Clerk of the Board of Supervisors- Records Division Lesley.clark@cob.sccgov.org 408-299-5087 Katrina Anderson Program Manager II Katrina.anderson@hhs.sccgov.org 408-918-8626	The role of the HCD Advisory Committee is to be the policy-recommending body to the Board of Supervisors on the planning, implementation, monitoring, and evaluation of the Urban County HCD Program. The Committee guides the development of a coordinated housing and community development plan and hears project proposals, reviews staff recommendations, and makes recommendations to the Board of Supervisors for final approval and forwarding to HUD.	As needed 70 West Hedding Street, 1st Floor Board Chamber	(P) Martinez Beltran (A) Librers	John Lang, Housing and Economic Mobility Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>City-School Liaison Committee</u> Morgan Hill Unified School District; 15600 Concord Circle or City of Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037-4128 Kelly Schriefer, Secretary to the Superintendent, MHUSD schrieferk@mhusd.org (408) 201-6001 Kim Mancera, Deputy City Clerk Kim.Mancera@morganhill.ca.gov (408) 310-4680 https://www.mhusd.org/about/board-of-education/city-school-liaison-committee	To facilitate communication between the City and School District on issues of common concern.	Every other month, typically on Fridays at 8:30 am Meetings alternate between the City of Morgan Hill, City Hall 17575 Peak Ave and the Morgan Hill Unified School District Office 15600 Concord Cir	(P1) Turner (P2) Vega (A1) Librers (A2) Martinez Beltran	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>South County Youth Task Force – Policy Team</u> 7301 Hanna Street Gilroy, CA 95020 Bernice Aguilera SCYTF Program Manager baguilera@dao.sccgov.org (408) 608-8384 Sandra Cruz South County Youth Task Force Coordinator sandra.cruz@ci.gilroy.ca.us (408) 846-0337 <u>Interim Contacts</u> Aesha Sandoval Aesha.sandoval@cityofgilroy.org Sandra Quintanar Sandra.quintanar@cityofgilroy.org	The South County Youth Task Force is a collaboration of local governments, school districts, community and faith-based organizations, and law enforcement agencies in South County who are committed to serving, supporting, and uplifting our youth so that they have the opportunity to thrive.	2025 Schedule, meets at 10:00 am - January 15 Morgan Hill Council Chamber 17555 Peak Ave - March 19 Community Room Gilroy PD 7301 Hanna St. - May 21 Morgan Hill Council Chamber - August 20 Community Room Gilroy PD - September 17 Morgan Hill Council Chamber - November 19 Community Room Gilroy PD	(P1) Turner (P2) Librers The Mayor and one Council Member are ex-officio members of the Policy Team	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>ABAG</u> 375 Beale Street San Francisco Fred Castro, Clerk of the Board fcastro@bayareametro.gov (415) 820-7913 https://abag.ca.gov/overview/ga.html	Council of governments representing Cities & Counties in the Bay Area; a comprehensive planning agency addressing regional social, environmental, and economic issues.	Meets annually usually in June June 20, 2025 Location varies (Oakland or San Francisco)	(P) Martinez Beltran (A) Turner	(P) Jennifer Carman, Community Development Director (A) Edith Ramirez, Assistant City Manager
Regional Government	<u>Cities Association of Santa Clara County Board</u> PO Box 1079 Los Gatos, CA 95031 Shali Sirkay- Executive Director Shali@citiesassociation.org 408455-4154 http://citiesassociation.org/about-us.php	Promotes cooperation, represents the mutual interest, and presents a unified voice for the fifteen cities of Santa Clara County; each city in Santa Clara County appoints the Mayor or a Council Member to the Board of Directors; advocates for positive action to enhance the quality of life for the people of our county.	Monthly 2nd Thursday- Except for July & December 7:00 pm 456 W. Olive Ave Sunnyvale Sycamore Conference Room	(P) Turner (A) Librers	None, unless Morgan Hill serves as President, then City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>Cities Association of Santa Clara County Board City Selection Committee</u> PO Box 1079 Los Gatos, CA 95031 Shali Sirkay- Executive Director Shali@citiesassociation.org 408455-4154 http://citiesassociation.org/about-us.php	The committee makes recommendations on appointments to regional and countywide organizations.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Turner (A) Librers	
Regional Government	<u>Cities Association of Santa Clara County Board Legislative Action Committee</u> PO Box 1079 Los Gatos, CA 95031 Shali Sirkay- Executive Director Shali@citiesassociation.org 408455-4154 http://citiesassociation.org/about-us.php	The committee provides basic legislative updates to cities with little or no legislative staff, organizes emergency responses to urgent issues, and enables the Cities Association to advocate on issues of mutual interest.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Turner (A) Librers	
Regional Government	<u>League of California Cities Peninsula Division</u> Montana Cruz Regional Public Affairs Manager, Peninsula Division 415-298-4940 mcruz@calcities.org http://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula	Comprised of the 36 cities from San Francisco to Gilroy, division members work together to enhance the quality of life in our communities, our region, and our state.	4 meetings per year: special meetings added as needed	(P) Librers (A) Turner	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Caltrain Local Policy Maker Group</u> 1250 San Carlos Avenue San Carlos, CA 94070 (650) 508-6200 Casey Fromson fromsonc@samtrans.com (650) 288-7625 Isabella Confertil confertil@caltrain.com http://www.caltrain.com/projectsplans/CaltrainModernization/Meetings.html	Advisory group comprised of elected officials and provides a formal venue to facilitate local input and guidance on the Caltrain Modernization Program.	Bi-Monthly 4th Thursday 5:30 pm *Tentative dates • January 23 • March 27 • May 22 • July 24 • September 25 • December 12 Zoom	(P) Librers (A) Martinez Beltran	Edith Ramirez, Assistant City Manager Tiffany Brown, Senior Planner
Transportation	<u>Comprehensive County Expressway Planning Study Policy Advisory Board</u> Santa Clara County Roads and Airports 101 Skyport Drive San Jose, Ca 95110-1302 Ben Aghegnehu ben.aghegnehu@rda.sccgov.org (408) 573-2462 http://sccgov.iqm2.com/citizens/default.aspx?	Provides an elected officials' forum for policy input to the <i>Expressway Plan 2040</i> – a long range plan for the improvement and maintenance of the eight County expressways and the Santa Teresa-Hale Corridor. All areas of need are included: capacity and operational improvements, signal operations, high-occupancy vehicle (HOV) lanes, bicycle, and pedestrian improvements, finishing elements, and ongoing operating and maintenance needs and funding strategy recommendations.	As needed 70 West Hedding Street, 1st Floor Board Chamber	(P) Turner (A) Librers	Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA)</u> <u>Policy Advisory Committee (PAC)</u> 3331 North First Street, Building B-1st Floor San Jose, CA 95134-1927 Michelle Oblena Advisory Committee Coordinator Michelle.oblena@vta.org (408) 321-5814 Elaine Baltao, Board Secretary Board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/advisory-committee/policy-advisory-committee-pac	Advises the VTA Board of Directors on policy matters relating to transportation and congestion management. <i>Board Member cannot serve on the PAC.</i> <i>(Note: participation is State-mandated)</i>	Monthly, 2nd Thursday 4:00 pm VTA River Oaks Campus 1331 N. 1st Street Room B-104 San Jose	(P) Martinez Beltran (A) Librers	Chris Ghione, Public Services Director Edith Ramirez, Assistant City Manager
Transportation	<u>Santa Clara Valley Transportation Authority (VTA)</u> <u>MG - Group 4</u>	Cities of Morgan Hill and Gilroy advise the PAC (see above) on transportation policy and funding issues. Discuss transportation items of mutual interest to the cities of Morgan Hill and Gilroy	Tuesday before each Thursday Board meeting, 9:00 am Zoom	(P) Turner (A) Martinez Beltran	Christina Turner, City Manager Chris Ghione, Public Services Director Edith Ramirez, Assistant City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA)</u> <u>Board of Directors</u> 3331 North First Street San Jose, CA 95134-1906 Elaine Baltao, Board Secretary board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/board-of-directors	Reviews issues relating to transportation and congestion management.	Monthly, 1 st Thursday 5:30 pm County Government Center 70 W. Hedding St. San Jose	(P) Turner (A) Bozzo (Gilroy) <i>(Alternates between MH and Gilroy every two years based on VTA preference – sometimes longer for continuity)</i>	Christina Turner, City Manager Chris Ghione, Public Services Director Edith Ramirez, Assistant City Manager
Water/Wastewater	<u>Santa Clara Valley Water Commission</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Stephanie Simunic ssimunic@valleywater.org	Advises the District on water supply, legislative issues, and integrated water resource management. <i>(Note: Most issues relate to imported water; Morgan Hill is 100% ground water)</i>	Meetings at noon: - January 22 - April 9 - July 23 - October 22 Santa Clara Valley Water District Headquarters Building Boardroom 5700 Almaden Exp, San Jose	(P) Martinez Beltran (A) Vega	James Sylvain, Deputy Director for Utilities Services Tanya Carothers, Environmental Programs Administrator

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>South County Regional Wastewater Authority (SCRWA) Board Meeting</u> 1500 Southside Drive Gilroy, CA 95020 Kerry Edmonds kerry.edmonds@jacobs.com Deputy Secretary of the Board (408) 848-0480 Saeid Vaziry, P.E. Saeid.vaziry@ci.gilroy.ca.us Secretary of the Board http://www.ci.gilroy.ca.us/561/Support/County-Regional-Wastewater-Authority	The South County Regional Wastewater Authority established by Joint Powers Agreement (cities of Gilroy & Morgan Hill) to provide common authority relating to Joint Wastewater Gilroy/Morgan Hill Sewage Treatment Plant located in Gilroy.	1st Wednesday of the Month, Quarterly 8:00 am 1500 Southside Dr Gilroy	(P1) Martinez Beltran (P2) Iwanga (A) Turner (A) Librers (A) Vega	James Sylvain, Deputy Director for Utilities Services Chris Ghione, Public Services Director Christina Turner, City Manager
Water/Wastewater	<u>Joint Water Resource Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Nicole Merritt nmerritt@valleywater.org (408) 630-3262 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx	Advance South County Water interests. Ensure the continued utilization of recycled water in South County and promote the expansion of water reuse in the region and to advance recycled water production, distribution, and wholesaling in South County.	Meetings follow SCRWA Board Meetings - 1st Wednesday of the Month, Quarterly (at the request of the committee) 1500 Southside Dr Gilroy	(P1) Martinez Beltran (P2) Iwanaga (A) Turner (A) Librers (A) Vega The members of SCRWA board also serve on this committee.	Christina Turner, City Manager Chris Ghione, Public Services Director James Sylvain, Deputy Director for Utilities Services

LIST OF CITY COUNCIL ADJUNCT COMMITTEES

Mayor Mark Turner

- Morgan Hill Chamber of Commerce Board (Mayor is ex-officio member)
- VTA Mobility Partnership Committee
- Cities Association, City Selection Committee LAFCO Board Member
- VTA Administration & Finance Committee (Chair)
- VTA Governance & Audit Committee

Council Member Yvonne Martinez Beltran

- Peninsula Division Executive Board Secretary, Cal Cities
- Housing, Economic, and Community Development Policy Committee for Cal Cities

Council Member Marilyn Librers

- Transportation, Communication, and Public Works Policy Committee for Cal Cities

Council Member Soraida Iwanaga

- City Liaison to the Sister City Committee

	Outside Agency	Primary 1	Primary 2	Alternate 1	Alternate 2	Alternate 3
1	SCC Library District JPA	Turner	-----	Vega	-----	-----
2	Silicon Valley Interoperability Authority	Cline (Gilroy)	-----	Turner	-----	-----
3	SCV Habitat Agency Governing Board	Librers	Vega	Turner	Iwanaga	-----
4	SCV Habitat Agency Implementation Board	Librers	Vega	Turner	Iwanaga	-----
5	Silicon Valley Clean Energy	Martinez Beltran	-----	City Teammate	-----	-----
7	SCVWD Elected Officials PL566	Vega	Iwanaga	Martinez Beltran	-----	-----
8	SCC Housing & Community Development Advisory Committee	Martinez Beltran	-----	Librers	-----	-----
9	City/School Liaison Committee	Turner	Vega	Librers	Martinez Beltran	-----
10	South County Youth Task Force	Turner	Librers	-----	-----	-----
11	ABAG	Martinez Beltran	-----	Turner	-----	-----
12	Cities Association	Turner	-----	Librers	-----	-----
13	Cities Association - City Selection Committee	Turner	-----	Librers	-----	-----
14	Cities Association - Legislative Action Committee	Turner	-----	Librers	-----	-----
15	LOCC Peninsula Division	Librers	-----	Turner	-----	-----
16	Caltrain Policy Maker Group	Librers	-----	Martinez Beltran	-----	-----
17	Comprehensive County Expressway Planning Policy Advisory Board	Turner	-----	Librers	-----	-----
18	MTA Policy Advisory Committee	Martinez Beltran	-----	Turner	-----	-----
19	MTA MG-Group 4	Turner	-----	Martinez Beltran	-----	-----
20	MTA Board of Directors	Turner	-----	Bozzo (Gilroy)	-----	-----
21	Valley Water Commission	Martinez Beltran	-----	Vega	-----	-----
22	South County Regional Wastewater Authority	Martinez Beltran	Iwanaga	Turner	Librers	Vega
23	Joint Water Resource Committee	Martinez Beltran	Iwanaga	Turner	Librers	Vega

Totals

	Primary	Alternate
Turner	9	8
Iwanaga	3	2
Librers	5	8
Martinez Beltran	7	4
Vega	4	4

CONFIDENTIAL PERSONNEL INVESTIGATION REPORT

CITY OF MORGAN HILL – COMPLAINT OF YVONNE MARTÍNEZ BELTRÁN

June 9, 2025

KRAMER WORKPLACE INVESTIGATIONS

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Pursuant to the request of the City of Morgan Hill ("City"), Karen Kramer of Kramer Workplace Investigations conducted a fact-finding investigation into the complaint made by Council Member Yvonne Martínez Beltrán against Mayor Mark Turner.

I. INTRODUCTION

The City retained Kramer Workplace Investigations on or about February 18, 2025, to investigate Martínez Beltrán's complaint that Turner yelled at her and pushed her on February 7, 2025. Specifically, Martínez Beltrán claims that during a special Council meeting, held on February 7, 2025, Turner approached her, yelled at her, "You're too much," pointed his finger at her, said, "You're going to get in line," and pushed her on her right forearm. Additionally, Martínez Beltrán alleges that Turner retaliated against her for running against him in the November 2024 election. She also indicated during her interview that Turner mistreated her based on her gender and her race.

This report is a fact-finding document created through the methodology described herein. The report contains factual conclusions based upon the information made available during the course of the investigation. It does not draw any legal conclusions or assess whether any City policies or State laws were violated. Furthermore, while several hours were spent interviewing witnesses, this report does not purport to include every detail as described by the individuals involved. Rather, it assesses the important facts as they pertain to the complaint made by Martínez Beltrán against Turner.

II. SUMMARY OF FINDINGS

The allegations against Turner are not sustained. The credible evidence presented fails to establish by a preponderance of the evidence that Turner did not assign Martínez Beltrán to the committees to which she wanted to be assigned because she ran against him in November 2024. Additionally, the preponderance of credible evidence fails to demonstrate that the decision was based on Martínez Beltrán's race and/or gender.

Likewise, the credible evidence presented establishes that more likely than not, Turner did not yell at or push Martínez Beltrán during the special Council meeting held on February 7, 2025. It is undisputed that Turner touched Martínez Beltrán, but the credible evidence presented fails to establish that Turner's contact with her was aggressive or that it was motivated by Martínez Beltrán's gender, race, and/or her running against him in the November 2024 election.

III. METHODOLOGY OF THE INVESTIGATION

The following persons were interviewed as part of this investigation:

1. Council Member/Vice Mayor Yvonne Martínez Beltrán, on April 1, 2025 and April 3, 2025;
2. Christina Turner, City Manager, on April 23, 2025;
3. Council Member Marilyn Librers, on April 29, 2025;
4. Council Member Miriam Vega, on April 29, 2025;
5. Council Member Soraida Iwanaga, on May 1, 2025;
6. Don Larkin, City Attorney, on May 7, 2025; and
7. Council Member/Mayor Mark Turner, on May 13, 2025.

The witnesses were interviewed via Zoom, and their interviews were audio-recorded.¹

The witnesses were told that they were expected to provide honest and forthright answers to the questions asked. They were also reminded of the City's policy against retaliation and told to not take any retaliatory

¹ Copies of the recordings are available upon request.

action against anyone who participated in this investigation and to report any retaliation directed against them.

The undersigned did not interview all witnesses mentioned in the course of the investigation if, in the assessment of the undersigned, the witness did not have direct, relevant, or significant information related to the specific incidents within the scope of the investigation, or if the undersigned obtained the information from a different credible witness or source.

The following documents were reviewed and relied upon as part of this investigation:²

1. Morgan Hill Police Department Incident Report 2502070085-1; and
1. List of City Council Appointments to Outside Agencies (Committee List).

In addition to this document, the undersigned watched a video of the interaction between Martínez Beltrán and Turner that occurred during the February 7, 2025 Council meeting.

IV. DESCRIPTION OF THE ALLEGATIONS – INTERVIEW OF YVONNE MARTÍNEZ BELTRÁN³

Martínez Beltrán had been a Council Member for seven years at the time of her interview and was the Mayor Pro Tem.

Martínez Beltrán advised that she has tried very hard to work with Turner, and she shared that she was successful in doing so for approximately 1½ years. Martínez Beltrán reported that she ran against Turner for Mayor in the November 2024 election, and since that time, he has retaliated against her. She identified her race as Latina and opined that Turner mistreated her because she is not a White woman. Martínez Beltrán opined that Turner has a problem with all women, regardless of their race. She later clarified that she thinks he has a problem with “women who are competent and intelligent.”

A. Committee Assignments

Martínez Beltrán reported that one of the ways in which Turner retaliated against her was by withholding committee assignments from her. She explained that each year, members of the City Council discuss what committees they are interested in and why they would bring value to their requested committees. Martínez Beltrán opined that Turner stripped her of her duties serving on prestigious committees, knowing that she is trying to build relationships with her colleagues, in an effort to prevent her from being reelected to the City Council.

According to Martínez Beltrán, the Mayor usually attends Cities Association meetings, while the Mayor Pro Tem serves as an alternate.⁴ She maintained that for the past 10 years, the Mayor Pro Tem has served as the alternate, and the City has a chart identifying the Mayor Pro Tem as the alternate for the Cities Association. According to Martínez Beltrán, Turner directed City staff to delete the language on the chart identifying the Mayor Pro Tem as the alternate, and he reappointed Council Member Marilyn Librers to the Cities Association as the alternate even though Librers is no longer the Mayor Pro Tem.

Martínez Beltrán opined that Turner did not want her to be a part of the Cities Association because being on that committee would allow her to “get to know” the Mayors and Vice Mayors of neighboring cities. She also assumed that he did not want her to be reelected to the Association of Bay Area Governments (ABAG) Board of Directors, which she explained requires that she have “relationships with a lot of people.”

² These documents are attached as exhibits to this report.

³ During her interview, Martínez Beltrán reported several incidents that occurred prior to November 2024, including decisions Turner made during his first term as Mayor. At the direction of the City, incidents that occurred during Turner’s first term as Mayor and during the 2024 election are not included within the scope of this investigation.

⁴ Martínez Beltrán described the Cities Association as a “powerful committee” in Santa Clara County, and explained that representatives from all of the cities in the County are part of this committee which makes policy decisions for the County.

Martínez Beltrán reported that a few days after the February 7, 2025 incident, she called Libers to talk to her about the Cities Association Committee. According to Martínez Beltrán, she initially sent Libers a text message, and Libers responded that she was not comfortable talking to Martínez Beltrán in private. Martínez Beltrán shared that she told Libers she understood and asked if they could meet with City Manager Christina Turner (C. Turner) so that a third party was present, but Libers responded that she preferred not to meet with her at all, so she sent Libers an email asking her the questions she had about the committee. She noted that Libers did not respond to her email, but shortly thereafter, C. Turner called her to tell her that Libers received her email and wanted to keep her committee assignments. Martínez Beltrán opined it was odd that Libers did not want to talk to her, and she assumed that Libers felt this way because she was intimidated by Turner.

Martínez Beltrán advised that Turner also removed her from most of her committee assignments. She shared that she was elected to the Valley Transportation Authority (VTA) Policy Advisory Committee and is on the Executive Board for the Silicon Valley Clean Energy (SVCE) Committee, so she remained in those assignments. However, she maintained that she waited for “years” to be assigned to the City/School Liaison Committee, and she noted that she has three school-aged children, which is why she is passionate about that committee. According to Martínez Beltrán, she was part of the committee in 2024, but Turner removed her and assigned Council Member Miriam Vega to the City/School Liaison Committee.⁵ Martínez Beltrán noted that Vega is a school teacher in Salinas. She explained that Turner said he was trying to accommodate each Council Member’s requested assignments and to be fair, but she opined it was not fair that she waited for two years to be assigned to the committee, and then Vega was given her assignment.

Martínez Beltrán advised that when Turner first became the Mayor in 2023, she was very interested in joining the Executive Board for the League of California Cities (LCC) Peninsula Division. She explained that the Mayors in the region appoint people to the Executive Board, so she contacted Turner to tell him she had been working with the LCC and would appreciate his support to join the Executive Board to represent Morgan Hill. According to Martínez Beltrán, Turner asked her about the LCC and the Executive Board, so she educated him about both and told him about the committees she had served on for the LCC. Martínez Beltrán advised that Turner told her that he would support her joining the Executive Board. According to Martínez Beltrán, she ran for the Executive Board but was not selected.

Martínez Beltrán reported that the following year, she applied to join the LCC Executive Committee and contacted Turner to ask for his support, but he did not respond to her. She stated that she made several attempts to contact Turner, but he never responded to her until just before the ballots were due, when he told her that he too applied to join the LCC Executive Board. Martínez Beltrán shared that she was selected for the Executive Board, but she pointed out this incident as an example of Turner not being collaborative and being “underhanded.” She noted that the situation was embarrassing for her because she did not know that “her own Mayor” was running against her.

B. February 7, 2025 Incident

Martínez Beltrán explained that the workshop that took place on February 7, 2025, was to “set the stage” for the year and establish expectations. She shared that during the workshop, the departments gave presentations on their projects and priorities. According to Martínez Beltrán, the workshop is a good time for the Council Members to come together to show the departments and the public that they are “on the same page.” She noted that the meeting is less formal than regular Council meetings and that they are set up on the floor instead of on the dais.

Martínez Beltrán explained that during the meeting, the tables were set up like a horseshoe, with Turner seated in the middle and Martínez Beltrán to his left. She noted that next to Turner was C. Turner, and then Libers, who sat next to Martínez Beltrán. According to Martínez Beltrán, to the right of Turner was Vega, then Iwanaga, and then Larkin.

⁵ Martínez Beltrán explained that the City/School Liaison Committee includes two primary members and two alternate members from the City Council. She stated that Turner and Vega are the primary members, while she and Libers and alternates, but Libers is “alternate one,” and she is “alternate two.”

Martínez Beltrán reported that at the end of January 2025, she asked the Mayor to include an item on the City Council meeting agenda regarding the Council issuing a statement saying that the City will protect the rights of all residents regardless of their immigration status. She stated that Turner declined to put the item on the agenda and told her to follow the “full process” to have an item added to the agenda, which she stated would take 1½ months. Martínez Beltrán shared that she spoke to C. Turner about this because it was an urgent issue that needed to be addressed quickly. According to Martínez Beltrán, C. Turner told her that Turner directed that she follow the full process.

Martínez Beltrán advised that she researched the policies and learned that a Council Member can invoke a special meeting or emergency meeting, which she assumed Turner was not aware of because during the February 7, 2025 workshop for goal-setting and to establish the Council's priorities, he refused to allow her to talk about the “immigration policy” because it was not on the agenda. According to Martínez Beltrán, she tried to explain to Turner that the City Council could consider the policy as part of an emergency or special meeting, and that she wanted the City Council to meet the next day for a special meeting. Martínez Beltrán noted that the workshop was originally scheduled for two days, but Turner canceled the second day because, in her opinion, Turner “did not want to listen to four women for one day, let alone two days.”

According to Martínez Beltrán, Turner refused to schedule a special meeting, so she made a motion to schedule the meeting. She stated that she wanted a formal vote on her motion, but Turner never asked for a second to her motion and instead said that he sensed the other Council Members did not want to meet. Martínez Beltrán reported that Turner then called a recess, which was not planned, and cut Martínez Beltrán off as she was talking.

Martínez Beltrán opined that the resolution she wanted put on the agenda was timely because it would protect the rights of all City residents, regardless of immigration status, in reaction to the fear created by the mass deportations.

During her initial interview, Martínez Beltrán explained that when Turner called for a break, she got up to get some food, which was on the other side of the room from where she was sitting, and as she walked behind where Turner was sitting, she saw him shake his head, but she did not recall the first one or two words she said. She reported that Turner yelled at her, “You’re going to get in line,” while pointing with his right hand, so she replied to him, “You’re too much.”

According to Martínez Beltrán, Turner then reached out with his right hand and pushed her on her right forearm. She denied that he pushed her on or near her stomach. Martínez Beltrán reported that she yelled out, “You just pushed me, are you out of your mind? Did you just put your hands on me? What are you thinking? Don’t touch me.” She stated that Turner then turned to her, waved, and said, “Go on, get along.” She noted that he did not deny that he pushed her.

During her second interview, Martínez Beltrán advised that after she got up and walked towards the table where there were drinks, Turner approached her, shook his head, and yelled at her, “You’re too much.” According to Martínez Beltrán, Turner pointed at her like he was talking to a child and said, “You are going to get in line.” Martínez Beltrán advised that she put her hands up, and as she was walking away, Turner “reached out and pushed” her on her arm. She reported that she took a step back and said, “Oh my God, did you just push me? Are you out of your mind? Did you just put your hands on me?” She stated that Turner then said to her, “Go on, get along,” and “shooed” her away.⁶

Martínez Beltrán stated that City Attorney Don Larkin was present when Turner pushed her, and she said to Larkin, “Oh my God, he just pushed me, you saw that? I have to do something.” According to Martínez Beltrán, Larkin responded, “Yes,” and told her that she needed to file a report and talk to Human Resources.

⁶ Martínez Beltrán reported that the video she watched showed Turner pursuing her and showed that she did not walk towards him. It is unclear if the video Martínez Beltrán watched is the same video provided to the undersigned. During her interview, she noted that the video of the workshop meeting cut off when Turner called for a break because a slide with the agenda stopped the video during the break.

According to Martínez Beltrán, she provided the Police Department with a list of 24 names of witnesses to Turner pushing her.⁷ However, she later learned that the Police Department interviewed only C. Turner and Larkin, both of whom she noted can have their positions revoked by the Mayor.⁸

Martínez Beltrán reported that the video she observed showed Turner's elbow move for a split second as he walked towards her. She maintained that she did not walk towards the Mayor, but rather, he walked towards her. She noted there is no audio with the video. Martínez Beltrán maintained that the video clearly shows Turner pursuing her as she walked away from him with her hands up.

Martínez Beltrán noted that when Turner pushed her, everyone except for Librers was standing up. She stated that when she spoke to C. Turner about the incident, C. Turner told her she did not see anything but heard Martínez Beltrán say to Turner, "Don't touch me."

Martínez Beltrán opined that Turner would not have pushed a man or a White woman. She further opined that he has "an issue with race" because he was not willing to "do the immigration resolution" she brought forward and because when there was a Muslim hate crime in the City, Turner did not say or do anything.

According to Martínez Beltrán, Turner was a pastor for 10 to 15 years for a very conservative church. She heard secondhand that Turner "taught obedience" as a pastor. She noted that Turner often paraphrases her to tell her what she means, and that he constantly interrupts her, even when she should be given five minutes of speaking time during Council meetings. Martínez Beltrán reported that Turner muted her on the dais when her time ended, even though she had one more point to make and they were not discussing anything that was controversial.

V. WITNESS INTERVIEWS

A. Committee Assignments

1. City Manager Christina Turner⁹

C. Turner shared that since the November 2024 election, there had been escalating tension between Turner and Martínez Beltrán. She opined that Turner tries to follow the policies and procedures in place related to the rules and norms for Council Members, but there were occasions when Martínez Beltrán wanted to veer away from the policies, which created tension between them. She also noted that there were occasions when Turner and Martínez Beltrán voted differently on an issue, which may have contributed to the tension.

According to C. Turner, when the Mayor was making committee assignments, Martínez Beltrán wanted to keep some of the committees she was assigned the year prior, but the newer Council Members also wanted to serve on committees, so they requested certain committee assignments. C. Turner noted that she does not play any role in assigning committees to Council Members, and she pointed out that there is a Council policy directing that the Mayor recommend committee assignments, which the City Council ratifies.

C. Turner stated that Martínez Beltrán expressed concerns about her committee assignments, which were an ongoing concern for Martínez Beltrán over the years. According to C. Turner, Martínez Beltrán felt very strongly about having certain committee assignments. However, she noted that Martínez Beltrán did not respond to the email C. Turner sent to all Council Members asking them to identify the committee assignments they wanted and explaining that Turner would then prioritize giving them their requested assignments.

⁷ Martínez Beltrán agreed to provide a witness list to the undersigned, but as of the date of this report, she had not done so.

⁸ The Incident Report provided to the undersigned shows that Librers, Council Member Soraida Iwanaga, and Vega were also interviewed by a Police Officer. See Exhibit 1.

⁹ C. Turner has been the City Manager since 2017. She has been employed by the City since March 2016. C. Turner reports to the Mayor and the Council Members.

C. Turner reported that after the assignments were disseminated to Council Members, Martínez Beltrán questioned why certain committee assignments she previously held were reassigned to others. She explained that she shared Martínez Beltrán's concerns with Turner, but he stood by his recommendations and did not want to make any changes. According to C. Turner, Martínez Beltrán did not provide her list of requested committee assignments until after the list was disseminated to the Council Members. She did not know why Martínez Beltrán did not respond to C. Turner's initial email.

C. Turner shared that one of the committees that Martínez Beltrán was most upset about was the City/School Liaison Committee. She explained that Vega is a public school teacher and was new to the City Council, so Turner thought it was appropriate for Vega to be placed in this assignment. C. Turner noted that Vega also expressed interest in the assignment.

C. Turner advised that the other committee Martínez Beltrán was upset about was the Cities Association. She reported that Turner is the primary committee member, and the alternate was typically the Mayor Pro Tem, but Turner chose to keep Librers in the assignment to maintain continuity, which C. Turner opined was a valid reason. She noted that every City chooses their primary and alternate members differently and that until 2025, the Mayor Pro Tem was the alternate for the City. According to C. Turner, there is no City policy requiring that the Mayor Pro Tem serve as the alternate for the Cities Association Committee.

C. Turner stated that Martínez Beltrán attended meetings when she was not the appointed committee member and an alternate was not needed.

C. Turner opined that Turner does not have any lingering ill-will towards Martínez Beltrán for running against him for Mayor. She explained that Turner is professional and cordial, and he does not let "campaign stuff" get in the way of carrying on City business.

C. Turner opined that Turner does not have any bias against women or any issue working with women. She noted that Turner is the only male member of the City Council. She further opined that Turner does not have any animus against Martínez Beltrán based on her race. She noted that three of the four female Council Members are Latina. C. Turner stated that Turner never said or did anything that led her to believe he discriminates against females or Latinas.

C. Turner shared that Turner expressed concerns to her regarding interactions he had with Martínez Beltrán, including expressing concerns about the dynamics during City Council meeting, such as Martínez Beltrán taking more than her allotted time to speak, not following processes regarding agenda items, and ignoring other protocols.

2. Council Member Marilyn Librers¹⁰

Librers reported that as of the date of her interview, she was an alternate for the Cities Association Committee. She did not know if this was a position typically held by the Mayor Pro Tem, and she noted that while she was the Mayor Pro Tem in 2024, she was not a part of the Cities Association Committee.

Librers initially denied having any communication with Martínez Beltrán about her (Librer's) committee assignments. However, she subsequently reported that Martínez Beltrán asked her to forgo her assignment as an alternate for the Cities Association and the LCC so that she (Martínez Beltrán) could serve on these committees. Librers shared that this conversation occurred publicly, during the February 7, 2025 workshop. She did not recall Martínez Beltrán saying why she wanted these particular committee assignments. According to Librers, when Martínez Beltrán asked her to forgo the assignments, Librers said that she was interested in getting involved and would like to keep the assignments. Librers noted that these committees were new to her in 2025, and acknowledged that she did not specifically request these assignments.

¹⁰ Librers has been a member of the City Council for 11 total years, but not consecutive ones. Recently, she was on the City Council for 1½ years. Librers was the Mayor Pro Tem in 2024 but never served as Mayor. Librers is Caucasian.

Librers shared that Turner spread out the assignments so that the two new Council Members could learn about the different committees. He stated that Turner told the Council Members that he tried to share the committee assignments equally to give the two new Council Members an opportunity to learn.

According to Librers, in prior years, Martínez Beltrán had most of the committee assignments. Librers shared that when she returned to the City Council after a four-year break, she was surprised that she was not assigned to any committees. She opined that it makes sense to spread out the committees.

Librers stated that she had only one interaction with Martínez Beltrán regarding the committees, during the February 7, 2025 workshop. She shared that the only one-on-one communication she had with Martínez Beltrán since the November 2024 election involved the Council Members' travel budget.¹¹ According to Librers, in the past, Council Members submitted reports for their expenses, but now they are limited to \$3,000 per year. However, she said, Martínez Beltrán always spent more than the other Council Members. She noted that Martínez Beltrán was the only Council Member upset about being given a budget and asked that there be a pool of money that all of the Council Members could pull from, which the other Council Members were against.

Librers reported that Martínez Beltrán was very upset during the meeting in which the travel budget was discussed, so she "called [Librers] out" by asking Librers for whatever money she had left over and did not use. According to Librers, she said, "No," but Martínez Beltrán "was like a dog with a bone" and would not let it go.

Librers explained that she saw Martínez Beltrán at a social event the following Saturday, told her that she was sorry they "went head-to-head," and explained that from her perspective, they have budgets at home they need to live by and budgets at work they need to live by, and she was not willing to give up any of her budgets. According to Librers, Martínez Beltrán was not happy with her, so Librers told her they should try to work together and asked her for a hug, but Martínez Beltrán walked away.

Librers reported that she avoids Martínez Beltrán because she does not like confrontation and because Martínez Beltrán is confrontational when she does not get her way. She opined that Martínez Beltrán was surprised when she (Librers) stood up for herself regarding her committee assignments.

Librers described her professional relationship with Turner as "very good." She does not have any concerns about him being the Mayor and opined that he was doing an "excellent job." She denied that Turner has any issue with women or working with women, and she maintained that he has not mistreated her in any way. She similarly denied that Turner has animus against non-Caucasians, and she noted that the two new female Council Members are Hispanic. Librers maintained that she has not been mistreated by Turner in any way, and she denied that he intimidates her.

Librers stated that Martínez Beltrán publicly accused Turner of retaliating against her regarding the committee assignments because she ran against him for Mayor. She opined that Martínez Beltrán's logic did not make sense, as Turner had no reason to be upset with Martínez Beltrán because she lost.

Librers did not recall telling Martínez Beltrán that she was not comfortable speaking to her privately, but she acknowledged that during the election, when Martínez Beltrán called her many times, she did not return the calls. Librers also did not recall Martínez Beltrán calling her a few days after the February 7, 2025 workshop. However, during her interview, she checked her phone log and confirmed that Martínez Beltrán called her on February 17, 2025. Librers advised that she did not answer or return the call. She acknowledged that she may have asked C. Turner to tell Martínez Beltrán that she was not willing to change her committee assignments.

¹¹ Librers later corrected herself and reported that this conversation with Martínez Beltrán occurred prior to the November 2024 election because it was the prior City Council that voted on each Council Member having a travel budget.

3. Council Member Miriam Vega¹²

Vega advised that she is part of the City/School Liaison Committee, Valley Water Commission, Santa Clara Valley Habitat Agency, and the August Creek Committee, which are the assignments she requested. She noted that the Council Member she replaced served on some of these committees, so she knew there were vacancies, and she requested to be appointed to the City/School Liaison Committee because she is a school teacher.

Vega stated that no one indicated to her that there were any issues with the committees to which she was assigned, but she shared that Martínez Beltrán called her to ask her to consider allowing her to serve on the City/School Liaison Committee. According to Vega, she explained to Martínez Beltrán that she specifically asked to be assigned to that committee because she is a school teacher, and she told Martínez Beltrán that after her first year as a Council Member, if she was not doing what was expected of her on the committee or was doing a bad job, she would allow Martínez Beltrán to “have her spot.” She noted that Martínez Beltrán was not happy with her response, so when Martínez Beltrán called her a second time, Vega did not answer the phone. She reported that Martínez Beltrán asked her about the City/School Liaison Committee on two occasions privately, once publicly during Vega’s first City Council meeting, and on two occasions during the February 7, 2025 workshop. Vega stated that each time Martínez Beltrán asked her to “give” her the City/School Liaison Committee, she responded the same way.

Vega shared that during the February 7, 2025 workshop meeting, Martínez Beltrán was very upset that she was removed from several committees. Vega reiterated that twice that day, Martínez Beltrán asked her to let her “have” the City/School Liaison Committee because she had been waiting for years to be assigned to that committee. According to Vega, Martínez Beltrán told her that she was not assigned to the City/School Liaison Committee “because of retaliation,” but she did not specify for what she was retaliated against. Vega maintained that even though Martínez Beltrán was very upset, she (Vega) did not back down. She noted that initially when she joined the City Council, Martínez Beltrán was assigned to eight committees, while the new Council Members had none until the Mayor asked them to specify the committees in which they were interested.

Vega reported that during the next City Council meeting, when the committee assignments were publicly announced, Martínez Beltrán was still upset. According to Vega, before the meeting started, Martínez Beltrán told her that it was very important to her to participate on the City/School Liaison Committee and that she had waited four years to sit on the committee. Vega shared that Martínez Beltrán also said it was not fair that Vega was assigned the committee during her first year on the City Council. She noted that during the Council meeting after the February 7, 2025 workshop, the City Council voted to approve the committee assignments.

Vega shared that in March 2024, during a luncheon hosted by Gayle Palin, Martínez Beltrán “ambushed” Vega and told her that there was “seniority and ranks” on the City Council and that she should be respectful of the senior Council Members. According to Vega, Martínez Beltrán told her that she was “disappointed” in her, and said that the only reason Vega was elected was because Martínez Beltrán supported her running.

Vega advised that she did not have any difficulty working with Turner. She noted that even though they do not always agree, he did not treat her inappropriately or differently based on her gender. Vega reported that when she ran for election to the City Council, she did not focus on her race but instead focused on being a school teacher and a woman. She noted that even though she and Turner never discussed that she is Hispanic, she believes that he knows she is Hispanic.

Vega stated that she had no reason to believe that Turner has any animus towards Martínez Beltrán based on her race. She shared that during the campaign, Martínez Beltrán told her that Turner is a racist and not to trust him. Vega opined that Turner tried to “lighten the conversation” with Martínez Beltrán and joke with her at times, but whenever Martínez Beltrán addressed Turner, she did so in a sarcastic manner and with

¹² Vega was elected to the City Council in November 2024 and was sworn in in December 2024. She identified her race as Hispanic Mexican.

an undertone of dislike. According to Vega, there were occasions during Council meetings when Martínez Beltrán “attacked” Turner by falsely accusing him of saying or doing something that Vega knew he did not do or say. She noted that during the LCC conference, when she went to a dinner with Martínez Beltrán and Turner, Martínez Beltrán sat next to Turner with her back to him the whole time and rolled her eyes. She opined that Turner is respectful towards Martínez Beltrán, but his respect is not reciprocated.

4. Council Member Soraida Iwanaga¹³

Iwanaga advised that she is a member of the Sister Cities, Santa Clara Water, and Waste Management committees. She noted that C. Turner sent her an email shortly after she was elected to the City Council asking her to create a list of committees she was interested in joining. She stated that she is a nurse and that working with youth appealed to her.

According to Iwanaga, she told C. Turner that she was interested in whatever committee she was needed because she did not know very much about any of the committees or which ones would be interesting to her. She stated that she expressed interest in any committee involving commuting because she commutes long hours, but she was not appointed to anything related to commuting. Iwanaga noted that it made sense to her that Vega was assigned to a committee involving youth because Vega is a school teacher.

Iwanaga pointed out that she is assigned to the least number of committees.

Iwanaga advised that she has not been mistreated by Turner, nor has she observed him engage in any behavior that she thought was inappropriate or unprofessional. Iwanaga stated that she does not have any reason to believe that Turner has animus towards females or Hispanic women.

5. City Attorney Don Larkin¹⁴

Larkin reported that he attends most City Council meetings, including special meetings. He stated that on the rare occasion that he does not attend a Council meeting, the Assistant City Attorney attends on his behalf.

Larkin did not recall having any one-on-one communications with Martínez Beltrán about her committee assignments prior to February 7, 2025, but he heard thirdhand during a meeting with Turner, C. Turner, and the City Clerk that Martínez Beltrán was not happy with her assignments. Larkin assumed that C. Turner or the City Clerk mentioned the committee assignments to notify Turner that Martínez Beltrán was unhappy.

According to Larkin, during this meeting, Turner explained some of his reasons for making the changes to the assignments he recommended. For example, Larkin stated, Turner said that because he is on the board for the Peninsula LCC committee, he wanted someone else to have an opportunity to get involved on the committee. He did not recall Turner’s explanations for other committee assignments but noted that they seemed reasonable to him at the time.

Larkin reported that the committee assignments have to be formally adopted by the City Council and that during the special meeting on February 7, 2025, everyone except Martínez Beltrán was happy with the assignments. According to Larkin, Vega spoke up and said that if Martínez Beltrán had her way, she (Vega) would have no committee assignments because Martínez Beltrán wanted to be assigned to all the committees. Larkin noted that following that interaction, Martínez Beltrán did not seem fully engaged and left the meeting shortly thereafter.

According to Larkin, during the next Council meeting, Martínez Beltrán was still upset about not being assigned as the alternate for the Cities Association Committee, which typically is assigned to the Mayor Pro Tem. Larkin shared that Turner said it was “not a hard-and-fast rule” requiring the Mayor Pro Tem to

¹³ Iwanaga was elected to the City Council in December 2024. She identified her race as Hispanic/Mexican American.

¹⁴ Larkin has been the City Attorney for approximately nine years, reporting to the City Council.

be the alternate. According to Larkin, this upset Martínez Beltrán because there used to be a note on the committee assignment list that indicated the alternate for the Cities Association is the Mayor Pro Tem, but the note was deleted on the final version of the assignment list. Larkin opined that Martínez Beltrán was upset because she did not get her way.

Larkin denied having any knowledge of Turner having difficult interactions with women in general. He reported that there are a lot of women in leadership positions within the City. He stated that he never observed Turner having a difficult interaction with any female employee, but he noted that he saw Turner get frustrated with both men and women and not always act in a positive manner.

Larkin advised that prior to the November 2024 election, Martínez Beltrán was the only Latina on the City Council, but during the November 2024 election, two Latinas were elected to the City Council. He opined that Turner's actions with Vega and Iwanaga were professional. He had no knowledge of Turner having any animus to females or Latinas.

6. Council Member/Mayor Mark Turner¹⁵

Turner advised that when he was elected Mayor in November 2022, Martínez Beltrán was a member of the City Council. He did not serve on the Council prior to being elected Mayor.

Turner stated that he recommended Martínez Beltrán to be the Mayor Pro Tem, with the rest of the Council approving his appointment. He stated that he could have kept Libers in the Mayor Pro Tem position, but he noted that the assignment is typically for one year, so it made sense for him to recommend Martínez Beltrán. Turner shared that the other two Council Members were brand new to the Council, so they would probably not understand their role if they had to fill in for Turner.

Turner advised that after the November 2024 election, the conflicts between him and Martínez Beltrán were consistent with what they were in the past, in that Martínez Beltrán was abrupt with him, "somewhat insulting," and aggressive in tone.

According to Turner, Martínez Beltrán was disruptive and dismissive with his predecessor. He noted that she does not follow the protocols, rules, and regulations governing the City Council. For example, Turner stated, Martínez Beltrán disregards the time limit to speak placed upon each Council Member. He shared that although his predecessor did not enforce this Council norm, he campaigned on running efficient Council meetings, so when Martínez Beltrán exceeded her time limit, he interrupted her to move on. He stated that Martínez Beltrán objected to Turner stopping her and that they spent several minutes arguing about the rules all Council Members are expected to abide by because she "does not like being told no."

Turner shared that when he stopped Martínez Beltrán from speaking or belaboring a point, she made "little insults," which he opined were intended to draw him into an argument. He stated that he apologized to her on one occasion after she cast her vote incorrectly and asked to correct it, but he said they were "not going back." According to Turner, he thought about his decision a bit more and decided he did not handle the situation appropriately, so he apologized to Martínez Beltrán after the meeting and told her that next time she made a mistake voting, he would allow her to recast her vote.

Turner advised that in 2023, while they were reviewing the budget, C. Turner pointed out to him that most of the Council Members spend approximately \$3,000 or less for travel expenses, but Martínez Beltrán spent approximately \$8,000. He noted there was no specific budget limiting the amount of travel expenses at the time, so there was some discussion among the Council Members about setting a limit for each Council Member, and former Council Member Renee Spring recommended the limit be \$3,000.

According to Turner, Spring said that if he did not use his full \$3,000 budget, he would give the remainder to Martínez Beltrán for her to use, but the Council agreed that was not an acceptable use of a Council

¹⁵ Turner has been the Mayor since December 2022. He was reelected in November 2024 for another two-year term. Turner is Caucasian.

Member's travel budget. Turner reported that Martínez Beltrán verbally assaulted every Council Member who agreed with the \$3,000 limit, which was approved by the 2024 City Council.

Turner stated that he recommends committee assignments to the City Council, which votes on his recommendations. According to Turner, he worked with C. Turner to have the Council Members review the various committees and let them know if they had any preferred assignments. He noted that everyone responded to C. Turner's request by the due date except for Martínez Beltrán.

Turner advised that Martínez Beltrán did not notify him or C. Turner of her preferred assignments until after he included his recommendations as part of the agenda packet for the February 7, 2025 meeting.¹⁶ He explained that after the agenda was published, C. Turner notified him that Martínez Beltrán was upset that she did not keep all of the assignments she had the prior year. He shared that he did not have any communication with Martínez Beltrán about the committee assignments, but rather, Martínez Beltrán expressed her displeasure with the assignments to C. Turner.

Turner stated that dividing the committee assignments was more challenging than he anticipated. He explained that there were two new Council Members who wanted to be involved in committees. Turner shared that he removed Martínez Beltrán from two or three of the committees she previously served on to ensure the new Council Members had committee assignments.

Turner advised that he recommended Vega for the City/School Liaison Committee because Vega is a school teacher, so it made sense for her to be a part of this group. He noted that he left Librers as the alternate for the Cities Association because he wanted there to be continuity on the committee. According to Turner, there is no rule requiring the Mayor Pro Tem be assigned to the Cities Association Committee. Turner reported that Martínez Beltrán remained in her LCC assignments and remained a part of the VTA Advisory Board.

Turner explained that the Mayor is assigned to the VTA Board and that the Mayors for the Cities of Gilroy and Morgan Hill alternate serving on this Board. He shared that his other assignments include the Cities Association, the City/School Liaison Committee, and the Silicon Valley Regional Interoperability Advisory (SRVIA). He noted that he recommended Librers for the CalTrain Local Policymaker Group and removed himself from this assignment.

B. February 7, 2025 Incident

1. City Manager Christina Turner

C. Turner advised that she attended the goal-setting workshop on February 7, 2025. She described the purpose of the workshop as for the City Council to discuss its vision and its priorities for the upcoming year. She explained that the workshop is a publicly noticed Council meeting, with one being held in January or February of each year and a mid-year workshop in August.

According to C. Turner, the February 7, 2025 meeting started at 9:00 a.m., and by 9:20 a.m., the Council took a break because the meeting was "so intense." C. Turner explained that Martínez Beltrán wanted the Council to adopt a resolution regarding immigration. She noted that prior to the meeting, Martínez Beltrán requested the resolution be included on the agenda, but Turner declined to include it as part of the agenda for the goal-setting workshop and instead thought the resolution should follow the usual process Council Members followed to have items agendized. C. Turner stated that during the meeting, there was "a lot of back-and-forth" regarding the resolution, with Martínez Beltrán wanting it addressed that day and Turner saying the resolution would be considered as part of the regular process for agendizing items.

C. Turner advised that Turner was seated to her right, while Martínez Beltrán was to her left. According to C. Turner, after Turner called for a break, Martínez Beltrán walked behind C. Turner towards Turner. She stated that she did not see Turner touch Martínez Beltrán but that the video she watched shows Turner

¹⁶ Turner advised that the agenda packet was published four days prior to the February 7, 2025 meeting.

touching Martínez Beltrán on the shoulder. C. Turner reported that she heard Martínez Beltrán say, “Don’t touch me,” using a raised voice. She stated that she did not hear Turner respond, but Turner later told her that he said to Martínez Beltrán, “Hey, you need to calm down.” C. Turner shared that she was still sitting at the time and that both Turner and Martínez Beltrán were standing to her right. She also shared that she did not hear Martínez Beltrán make any other comments to Turner, nor did she hear Turner say to Martínez Beltrán, “You’re going to get in line,” or “Go on, get along.”

C. Turner assumed that based on where Larkin was sitting, he observed the interaction between Martínez Beltrán and Turner.

C. Turner described the room as “tense” after the interaction between Turner and Martínez Beltrán. She stated that after the break, there was no discussion about the interaction, but the meeting continued with an ice-breaker, a discussion of the City’s accomplishments, and public comment. She noted that no one mentioned the incident between Turner and Martínez Beltrán during public comment.

According to C. Turner, after public comment, the City Council discussed their committee assignments, which she described as a “tough” conversation. C. Turner noted that Martínez Beltrán was very distracted after the break and on her phone, and at some point, she left the room and was in the parking lot with her husband.

According to C. Turner, there is no lingering ill will by Turner towards Martínez Beltrán. C. Turner maintained that since the February 7, 2025 incident, Turner has been cordial and professional in his interactions with Martínez Beltrán.

2. Council Member Marilyn Librers

According to Librers, during the February 7, 2025 workshop, Martínez Beltrán was mad that she was not assigned to the City/School Liaison Committee. She stated that during the meeting, Vega stood up for herself and explained why she should be on the committee, while Martínez Beltrán claimed that she had been on the committee for several years and knew the other members of the committee and how the committee works. Librers stated that Martínez Beltrán was also mad that Librers was assigned to the Cities Association as the alternate.

Librers advised that during the February 7, 2025 meeting, she sat next to Martínez Beltrán. She explained that the City Council was seated in a U-shape, with Turner in the middle. According to Librers, during the meeting, Martínez Beltrán would not stop talking, so Turner banged his gavel and politely told Martínez Beltrán that she had her turn. She shared that Martínez Beltrán kept talking, so Turner banged his gavel again and called an unplanned 10-minute break. She noted that she had never seen that happen before during her 11½ years on the City Council. Librers reported that at some point before the break, Martínez Beltrán said to Turner, “You’re retaliating against me because I ran against you for Mayor.”

Librers stated that the Council Members stood up and Martínez Beltrán walked towards Turner. She noted that it was very narrow where they were seated on the floor, and she wondered to herself why Martínez Beltrán did not walk the other way around the tables to get a beverage.

According to Librers, as Martínez Beltrán walked past Turner, he “lightly brushed her hand,” and said to her, using a low volume, “Calm down, [Martínez Beltrán].” She stated that Martínez Beltrán took a few more steps and then yelled, “Don’t touch me.” She shared that Martínez Beltrán again said, “Don’t touch me,” but louder the second time.

Librers opined that Turner tapped Martínez Beltrán on the hand to “try to make peace with her.” She denied seeing Turner grab or hit Martínez Beltrán, and she maintained that Turner barely touched her. She also denied seeing Turner touch Martínez Beltrán’s arm. Librers stated that she did not hear Turner say to Martínez Beltrán, “You’re too much,” “You’re going to get in line,” or “Go on, get along.” She also stated that she did not hear Martínez Beltrán ask Turner, “Did you just push me?” She maintained that even though she was not standing right next to Turner and Martínez Beltrán, she could hear what they said to

each other because she was standing by her seat and Turner was standing by his seat, with only C. Turner's seat between them. She estimated that she was approximately 72 inches from where Turner was standing.

Librers advised that she had not spoken with Martínez Beltrán about the incident that occurred during the February 7, 2025 meeting.

3. Council Member Miriam Vega

Vega advised that Martínez Beltrán arrived late to the February 7, 2025 meeting, and when she arrived, she interrupted whoever was speaking to say that she wanted to discuss "what was going on with immigration." According to Vega, Martínez Beltrán maintained it was urgent and was adamant that it needed to be discussed during that meeting. She stated that Larkin explained to Martínez Beltrán that there is a process to follow for topics to be discussed during Council meetings, and because immigration was not included on the agenda, they could not discuss it. She noted that Larkin and Turner explained to Martínez Beltrán multiple times that it was not possible for them to discuss immigration during that meeting.

Vega reported that the discussion became heated, so Turner struck the gavel and said they would take a 15-minute recess to calm down. Vega noted that she was sitting to the right of Turner.

Vega advised that during the break, she was speaking with Iwanaga and Martínez Beltrán, and C. Turner told them to "break it up" because of the Brown Act, so they explained to C. Turner that they were talking about something personal. According to Vega, while she, Iwanaga, and Martínez Beltrán were talking, Turner tapped Martínez Beltrán from behind her on the left shoulder to get her attention. Vega reported that in response, Martínez Beltrán loudly said, twice, "Get your hands off of me, don't touch me." She shared that Turner "backed off."

Vega maintained that Turner barely tapped Martínez Beltrán to get her attention. She noted that she was standing with her back to the audience, facing the wall, and that C. Turner was standing nearby to the left of her. According to Vega, Iwanaga and Librers were also standing near them.

Vega maintained that she saw Turner come up from behind Martínez Beltrán and tap her on the left shoulder. She stated that she was uncomfortable after hearing Martínez Beltrán scream, so she took a few steps to walk away from the situation.

Vega reported that when the meeting continued, Martínez Beltrán seemed "very distraught" and was on her phone. She shared that at some point, approximately 15 to 20 minutes after the break ended, Martínez Beltrán left the meeting and did not return.

4. Council Member Soraida Iwanaga

Iwanaga stated that she attended the workshop on February 7, 2025, and she opined that as soon as Martínez Beltrán arrived, the mood in the room changed. She explained that she was seated directly across from Martínez Beltrán, and based on Martínez Beltrán's tone and body language, Iwanaga could tell that she was unhappy with Turner because she wanted to discuss something that was not on the agenda, and he would not allow there to be any discussion. She described the meeting as "tense."

According to Iwanaga, before the break, the Council discussed Martínez Beltrán's resolution and committee assignments. She noted that Martínez Beltrán was unhappy that she was not given certain committee assignments, causing the others to feel as if they had to "defend" their assignments.

Iwanaga shared that the Council Members were seated in a U-shape, with her and Vega on one side of the U, and Librers, Martínez Beltrán, the City Clerk, and the Police Chief on the other side, and Turner in the middle of the U. According to Iwanaga, when Turner called for a break, everyone stood up and moved towards the area behind her and Vega, where there was a table of snacks. She explained that she was talking to Vega, but as she did so, she saw Martínez Beltrán walk in Turner's direction and talk to him.

Iwanaga reported that there was a “huge cacophony of ‘get your hands off me’” and “don’t touch me,” and then everyone froze. According to Iwanaga, Turner leaned in to Martínez Beltrán and said to her, “Hey, let’s talk.”

Iwanaga stated that after Martínez Beltrán yelled, she walked towards Iwanaga and Vega, and Iwanaga told her that she needed to calm down because they would discuss her resolution another time.

Iwanaga advised that if Turner touched Martínez Beltrán, it would have been for a millisecond because she saw Martínez Beltrán walk towards him. She stated that she did not see exactly where Turner’s hands were in relation to Martínez Beltrán and did not see any physical contact between them.

Iwanaga shared that Turner has a habit of tapping people on their arm to get their attention, which is what she assumed Turner did because he was leaning towards Martínez Beltrán like he wanted to talk to her. She noted that Libreros and C. Turner were next to or near Turner, and she further noted that it was a very small space to walk past Turner to get to the table with the snacks. She opined that Martínez Beltrán should have gone around the other side of the tables to the food table because there was more room to walk.

Iwanaga denied having any communication with either Martínez Beltrán or Turner about the incident. She acknowledged that she may have asked Turner if he was okay, and she stated that she was concerned for him “knowing the power that women can have,” especially when a woman yells, “Get your hands off of me.”

Iwanaga opined that the situation may have been staged by Martínez Beltrán. She stated that she had a “weird sense” about this, and she shared that Martínez Beltrán arrived at the meeting “on the attack” regarding the committee assignments.

5. City Attorney Don Larkin

Larkin advised that he attended the February 7, 2025 meeting, which he described as the City Council’s annual goal-setting meeting for the upcoming year. Larkin explained that the Council barely got to the adoption of the agenda when Martínez Beltrán said she wanted to add an item to the agenda for a resolution addressing immigration issues related to the Trump administration’s immigration enforcement policies. According to Larkin, there was an approximately 15-minute exchange regarding why they could not add an agenda item because doing so would violate the Brown Act.

Larkin noted that Turner seemed unhappy that the meeting was “hijacked” less than five minutes after it started. He opined it was a little “heated,” especially after the other Council Members expressed that they did not want to discuss anything other than what was on the agenda.

According to Larkin, the agenda was adopted approximately 20 minutes into the meeting, at which point Turner called for a five-minute break to “cool off.” He stated that instead of taking the time to decompress and step away, Martínez Beltrán headed straight for Turner as soon as he called the break. Larkin shared that he assumed Martínez Beltrán was going to talk to him (Larkin), so he stayed in his seat, but then he saw Martínez Beltrán approach Turner and say something to him. Larkin stated that Martínez Beltrán looked angry. He advised that he did not hear what she said, but given that she appeared angry, he stood up and walked towards Turner and Martínez Beltrán to try to defuse the situation. According to Larkin, Martínez Beltrán could have walked around the open part of the tables to avoid interacting with Turner, but instead, Martínez Beltrán walked towards the narrow gap where Turner was standing to confront him. He opined that she walked “pretty deliberately” towards Turner.

Larkin reported hearing Turner say to Martínez Beltrán fairly loudly, “You need to calm down,” or words to this effect, which he opined was the wrong thing for Turner to say to Martínez Beltrán. He noted that Turner has a habit of putting his hands on people to comfort them, or tapping them, which he observed Turner do to Martínez Beltrán. He explained that he observed Turner extend his arm and hand as if he were going to tap Martínez Beltrán on the shoulder, but Larkin did not see Turner actually touch Martínez Beltrán. He stated that he heard Martínez Beltrán say, “Don’t touch me,” or “Take your hands off me,” or words to this effect, and he assumed this was because Turner touched her on her shoulder.

According to Larkin, Martínez Beltrán walked towards him, asking him if he saw what happened. Larkin reported that when Martínez Beltrán asked him if he saw what happened, he replied that he did, not knowing what she thought Larkin saw. He later clarified that he told Martínez Beltrán that he did not see anything but heard her say, "Don't touch me."

Larkin maintained that he did not hear Martínez Beltrán use the word "push," nor did he see anything to indicate that Turner pushed Martínez Beltrán. He explained that if Turner had pushed Martínez Beltrán, he (Larkin) would have seen that. He further maintained that he did not see Turner point his finger at Martínez Beltrán, nor did he hear him say to her, "You're going to get in line."

According to Larkin, Turner has tapped him on the shoulder before, in a reassuring manner. He advised that Turner did that to him all the time, so it did not surprise him to see Turner do it to Martínez Beltrán. He noted that Martínez Beltrán had also tapped him on the shoulder on occasion. Larkin maintained that he was not concerned that Turner touched Martínez Beltrán on the shoulder, but rather, he wished that Turner did not tell Martínez Beltrán to "calm down," as doing so did not help the situation.

Larkin advised that Martínez Beltrán told him that she wanted to make a complaint, so he directed her to Human Resources. He stated that the meeting resumed a short time later and was productive for one or two hours until there was discussion about the committee assignments.

Larkin reported that during a meeting with Martínez Beltrán and Human Resources Director Michael Horta, they let her vent because she was very emotional. He stated that they told Martínez Beltrán that they did not have any authority over Turner because he is an elected official, but they would retain someone to investigate what happened. According to Larkin, during this meeting, Martínez Beltrán mentioned that Turner pushed her, so they recommended to her that she make a police report if she felt she was physically assaulted.

6. Council Member/Mayor Mark Turner

Turner reported that leading up to the meeting on February 7, 2025, he knew that Martínez Beltrán was not happy about the committee assignments. He stated that she also asked him to add an agenda item for a resolution regarding immigration, and that he told her it was not an item to be discussed during the goal-setting workshop, but they could include it on the agenda for the February 19, 2025 City Council meeting. Turner advised that he knew Martínez Beltrán was very upset with him about that as well.

According to Turner, a few minutes into the February 7, 2025 meeting, Martínez Beltrán "took over" and said that it was an emergency situation and that the Council needed to pass a resolution regarding the mass deportations. He noted that Larkin tried to stop Martínez Beltrán from discussing a resolution that was not on the agenda but was unsuccessful in doing so. Turner shared that after 30 minutes of back-and-forth, he called for a five-minute break.

Turner explained that he was seated at the head of the U-shaped arrangement, with C. Turner to his right, and then two Council Members, Martínez Beltrán and Libreros. According to Turner, as he stood up to signal the break, Martínez Beltrán stood up and walked towards him. He noted that he did not know where she was going, but it would have been a clearer path for her to go around the U the other way.

Turner reported that Martínez Beltrán walked up to him, invading his personal space, "jawing" at him, and "carrying on very aggressively." He stated that he said to her, "Hey, you've got to calm down." According to Turner, his hands were "in the air moving" because he talks with his hands, and his hand brushed against Martínez Beltrán's wrist. Turner shared that Martínez Beltrán immediately started screaming, "Don't touch me, don't touch me." Turner said he replied, "Whatever," and walked away. He shared that he wondered to himself if Martínez Beltrán designed the incident to make him look bad.

Turner stated that immediately after the break, the Council discussed committee assignments. He noted that Martínez Beltrán was very engaged in this discussion, and he described her as "critical, aggressive, combative, and bullying" towards the other Council Members. He stated that she had a number of supporters present who spoke about how wonderful she is and how much experience she has. Turner

shared that Martínez Beltrán “demanded” all of her assignments back, so Turner explained to her that it was the City Council’s decision and that the recommendations were already made. According to Turner, a vote approving his recommended assignments passed four-to-one.

Turner advised that after the lunch break, Martínez Beltrán “just sat and sulked, sent emails,” and eventually left the meeting.

Turner shared that he watched a video of the exchange between himself and Martínez Beltrán. He noted that there was no audio but that the video shows Martínez Beltrán walk past him and a verbal exchange occur between them. However, he stated, there is no indication that Turner pushed Martínez Beltrán, and that the only one who appeared to be yelling was Martínez Beltrán.

According to Turner, Iwanaga and Librers saw the entire exchange.

Turner shared that Martínez Beltrán tends to have disruptive relationships with the other Council Members. He stated that prior to the 2024 election, Librers told him that Martínez Beltrán said to her that she and Turner are “too old and too White to be on this Council.” He also reported that Hispanic women who supported him during the election said that Martínez Beltrán questioned why they supported Turner because he is not “one of us.”¹⁷

Turner advised that shortly after the event, he spoke to both Librers and Iwanaga about what they observed, and they were in “total shock.” He noted that others observed Martínez Beltrán to be very aggressive and combative with him, but on February 7, 2025, reported that she took on the whole City Council.

VI. FINDINGS OF FACT

The purpose of this report is to make findings of fact on the allegations of misconduct made against Turner. This report does not express any opinion as to whether any of the actions described herein rise to the level of a violation of City policies or State law.

In conducting this investigation, the undersigned did not set out to prove or disprove the allegations, but rather to gather information in a neutral fashion and reach reasoned conclusions. The City gave the undersigned the discretion to conduct this investigation without interference and did not attempt to influence the findings in this report. The factual findings were made by carefully analyzing the documentary and testimonial evidence gathered as part of the investigation.¹⁸

A. Credibility Assessment

It is important to note that prior to making a determination regarding the facts as alleged, the credibility of each witness was considered. In evaluating a witness’s credibility, many factors were considered, including possible bias or motivation to lie, the ability of a witness to recall information, the specificity of the information provided, whether the information provided was consistent with prior statements made by the witness and/or statements made by other witnesses, and the inherent plausibility of the information provided.

There is reason to question the reliability of what several of the witnesses reported. Specifically, both Martínez Beltrán and Turner have questionable credibility due to their motivation to downplay their conduct on February 7, 2025, to avoid public disapproval. Additionally, Martínez Beltrán is potentially motivated to falsely attribute conduct to Turner because she is upset that she lost the election for Mayor to him, while he is potentially motivated to seek retribution against Martínez Beltrán for running against him. Additionally, Martínez Beltrán was visibly upset with Turner during the February 7, 2025 meeting when he would not allow her to discuss her proposed resolution, which could also motivate her to make

¹⁷ Turner acknowledged that he did not hear Martínez Beltrán make these comments.

¹⁸ The facts are assessed using a preponderance of the evidence (more likely than not) standard of proof. What might be considered hearsay in a legal proceeding was considered and given appropriate weight in this investigation.

false allegations against him, or exaggerate what occurred between them, in order to make him look bad to those present in the room and his constituents.

Although there is no reason to believe that C. Turner, Larkin, and the other Council Members intentionally misrepresented what they observed, the reliability of some of the information they provided is questionable because what they reported is inconsistent with what is depicted on the video provided by C. Turner.¹⁹ More likely than not, discrepancies in their statements stem from varying perceptions and recollections of the specific incidents that are within the scope of this investigation, and the passage of time.

Specifically, the video depicts that both C. Turner and Librers remained seated when Martínez Beltrán stood up and walked towards where Turner was standing. Martínez Beltrán incorrectly reported that C. Turner was standing when the incident between her and Turner occurred. The video also depicts Turner lift his right arm slightly and appear to touch Martínez Beltrán's left forearm, and not her shoulder, as reported by C. Turner and Vega. The video then shows Turner put his arm down and continue interacting with Martínez Beltrán for a couple of seconds. At no time does the video depict Turner pointing at Martínez Beltrán.

Several of the witnesses appear to conflate different breaks or conversations that occurred during the February 7, 2025 meeting. For example, Vega reported that just prior to the incident between Martínez Beltrán and Turner, she and Iwanaga were talking to Martínez Beltrán, and C. Turner approached them to caution them about the Brown Act. However, the video shows that C. Turner remained seated during the incident between Martínez Beltrán and Turner, and that the interaction occurred within seconds of Martínez Beltrán standing up and walking towards the other side of the room before she got near where Vega and Iwanaga were seated and/or standing.

The video of the full meeting posted on the City's website has a "filler screen" during the break, so there is no public video of the interaction between Martínez Beltrán and Turner. What this video shows is that at approximately 18 minutes into the meeting, Turner called for a five-minute break. Prior to the break, the only discussion involved the immigration resolution Martínez Beltrán wanted to adopt. There was no discussion about the committee assignments prior to the break. In fact, this discussion did not occur until approximately 80 minutes after the meeting began.

Further undermining Martínez Beltrán's credibility is that her description of what occurred during her interview with the undersigned is inconsistent with what she reported to the police.²⁰ Notably, in the police report, the responding Police Officer wrote that when Martínez Beltrán reenacted what occurred between her and Turner, she used her right hand with fingers extended to push her husband's stomach, causing him to move backwards.²¹ According to the police report, Martínez Beltrán confirmed to the Police Officer that she was pushed in the stomach and that the push caused her to move backwards. During her interview with the undersigned, Martínez Beltrán denied that Turner touched her stomach.

Based upon the foregoing, when analyzing the evidence presented to make the following findings, the undersigned relied primarily on the video she was provided, and not the inconsistent descriptions of what occurred.

¹⁹ The video provided to the undersigned does not have any audio after Turner and Martínez Beltrán stood up, nor does it show Vega, Iwanaga, or Larkin.

²⁰ See Exhibit 1.

²¹ During the reenactment, Martínez Beltrán played the role of Turner, while her husband played the role of Martínez Beltrán.

B. Findings Of Fact

1. Committee Assignments

The credible evidence fails to establish by a preponderance of the evidence that Turner recommended removing Martínez Beltrán from committee assignments or recommended that she not be assigned to committee assignments based on her race, gender, and/or because she ran against him for Mayor. Rather, it is more likely than not that Turner's recommendations were based upon what he perceived to be a fair and equitable distribution of assignments.

Martínez Beltrán's claim that she was somehow mistreated by Turner based on his recommendations is undermined by the fact that she was given the opportunity to provide C. Turner with a list of her preferred committee assignments but failed to do so. Whereas Librers, Vega, and Iwanaga responded to C. Turner's email asking the Council Members to identify the committees they wanted to be assigned to, Martínez Beltrán did not respond.

Further, Turner and the other Council Members provided a legitimate explanation for why Turner's recommendations made sense. For example, Vega is a school teacher and is the only school teacher on the City Council, and it is logical for her to serve as the City/School Liaison Committee. Additionally, Turner's explanation that he wanted continuity on the Cities Association Committee is reasonable in light of the fact that the Librers wanted the assignment and had served in the same role the year prior, and that there is no rule proscribing that the Mayor Pro Tem serve as the alternate. The fact that past practice was to appoint the Mayor Pro Tem as the alternate to the Cities Association Committee does not require Turner to continue with past practice.

Finally, Martínez Beltrán claims that she was removed from multiple committee assignments, evidencing that Turner has animus against her. What she fails to recognize is that the City Council has five members, two of whom were new to the City Council and expressed an interest in serving on committees. The chart of assignments included on the City's website shows that Martínez Beltrán is the primary Council Member assigned to seven committees, while Librers, Vega, and Iwanaga are assigned to fewer committees than Martínez Beltrán.²² These numbers undermine Martínez Beltrán's claim that she was subjected to disparate treatment compared to her colleagues on the City Council, or that Turner harbored any animus against her based on her race, gender, and/or the fact that she ran against him for Mayor.

2. February 7, 2025 Incident

Martínez Beltrán's claim that during the February 7, 2025, meeting, Turner pushed her is not corroborated by the credible evidence presented, specifically the 20-second video provided to the undersigned. Additionally, none of the witnesses interviewed observed Turner push Martínez Beltrán.

It is undisputed that during the February 7, 2025 City Council goal-setting meeting, during a break, Turner touched Martínez Beltrán. Turner admitted to engaging in this conduct, and the video confirms there was some sort of contact between them. What Turner credibly denied doing, and what is not depicted on the video, was pushing Martínez Beltrán. The video also does not show Turner yelling at Martínez Beltrán or "scolding her like a child," as she reported to the police. Further, the video does not depict Turner pointing his finger at Martínez Beltrán.

Whereas Martínez Beltrán claims that Turner pushed her and that she said to him, "Don't push me," all of the witnesses who were present and observed the interaction between Turner and Martínez Beltrán reported hearing Martínez Beltrán use the word "touch" and not the word "push." This is significant because Turner was described by Larkin and others as someone who "talks with his hands," and therefore, he touches people when speaking to them. Martínez Beltrán's use of the word "push" implied that Turner's contact with her was aggressive or violent, which is much different from a "touch."

²² The chart, obtained from the City's website, is attached to this report as Exhibit 2.

It is also undisputed that Turner told Martínez Beltrán to “calm down.” Turner admitted making a comment to this effect, and Larkin and Librers corroborated hearing this comment.

Turner reported during his interview that he recommended Martínez Beltrán be appointed Mayor Pro Tem, which was ratified by the other Council Members. Although he could have recommended any Council Member to serve as Mayor Pro Tem, he credibly explained that he did not think it was appropriate for Vega and Iwanaga to serve in this role given they are brand new to the City Council. Turner could have recommended Librers serve another term as Mayor Pro Tem, but he did not do so, undermining Martínez Beltrán’s claim that Turner harbors any animus against her for running against him for Mayor.

The undersigned relied primarily on the video provided by C. Turner because it provides the most reliable and objective information regarding the interaction at issue. Moreover, as noted above, there were a number of factual discrepancies between what all of the witnesses reported. Significantly, the video footage shows Martínez Beltrán walking towards where Turner was standing, instead of walking around the tables on the other side to avoid interacting with him. The video also shows Martínez Beltrán putting up her arms as she nears Turner, and him sticking out his right arm, which appears to come into contact with Martínez Beltrán’s right arm. The video indicates that Turner continues to engage with someone who is off screen, presumably Martínez Beltrán, for approximately five seconds before he returns to his seat and sits down. What the video does not depict is Turner yelling or pointing at Martínez Beltrán as she approaches him, which directly contradicts what she alleged.

VII. CONCLUSION

Based upon the foregoing, the allegations against Turner are not sustained. The credible evidence presented fails to establish by a preponderance of the evidence that Turner was improperly motivated by Martínez Beltrán’s race, gender, and/or her running against him for Mayor when he did not recommend Martínez Beltrán for the committee assignments she wanted or when he touched her arm during the February 7, 2025 Council meeting. Similarly, the credible evidence presented does not show by a preponderance of the evidence that Turner yelled at, pointed at, and pushed Martínez Beltrán, or otherwise engaged in any aggressive conduct towards her during the February 7, 2025 Council meeting.

If any further assistance is needed, please do not hesitate to ask.

Respectfully Submitted,



Karen Kramer
Kramer Workplace Investigations



Morgan Hill Police Dept. - CA

16200 Vineyard Boulevard
Morgan Hill, CA, 95037
+1 (408) 779-2101

Incident Report 2502070085-1 (Report 1 of 1)

Incident Report 2502070085-1

Primary Officer: Ginther, Michael (299)

Assigned District: Team D

Overview

Incident Overview

REPORT PURPOSE R - Person Crime			
INCIDENT FROM DATE 02/07/2025	INCIDENT FROM TIME 09:30	INCIDENT TO DATE	INCIDENT TO TIME
REPORTED DATE 02/07/2025		REPORTED TIME 15:53	
LOCATION City Hall, 17555 Peak Ave, Morgan Hill, CA, 95037, USA			
LOCATION NOTE City Council Chambers		LOCATION CATEGORY Government/Public Building	
DOES DATE INDICATE REPORT DATE? Yes	ZIP CODE	ARRC INDICATOR No	IDENTITY THEFT INDICATOR No
DOMESTIC VIOLENCE INDICATOR No	GANG TYPE	BWC ACTIVATED? Yes	TRAFFIC COLLISION INVOLVED? No

Involved Officers

OFFICER Ginther, Michael (299)	BWC ACTIVATED? Yes	UNIT ID 299	PROPERTY/EVIDENCE? No
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Other Agencies Involved

OTHER AGENCIES INVOLVED? No

Case Factors

DISTRIBUTION REQUESTS		
☐ Adult Protective Services	☐ CPS	☐ City Attorney
☐ DA Citation	☐ DA In Custody	☒ DA Warrant
☐ DPW	☐ JPD	☐ Other
☐ Other Agencies		

SYNOPSIS On the above date, time, and location, a public meeting was held with city officials. During a recess following a heated topic, it was alleged that offender pushed the victim causing a mild amount of pain. The victim desired criminal prosecution of the offender. Video surveillance and witness statements were obtained that were not consistent with the victim's statement. I am submitting this report for District Attorney review.
--

Offenses

242 - BATTERY ON PERSON - MIS

Author: Ginther, Michael

Offenses (continued)

242 - BATTERY ON PERSON - MIS (continued) Author: Ginther, Michael

OFFENSE 242 - BATTERY ON PERSON - MIS	NIBRS UCR CODE 13B	SEVERITY MISDEMEANOR
EXCLUDE FROM NIBRS		
COMPLETION C		

Additional Details

OFFENDER IS SUSPECTED OF USING? No	WAS CRIMINAL OR GANG ACTIVITY IN- No	WAS WEAPON/FORCE INVOLVED? Yes	WAS BIAS MOTIVATION INVOLVED? No
CONSUMPTION LOCATION			
TYPE OF WEAPON/FORCE INVOLVED			
☐ 11 - Firearm	☐ 11A - Automatic Firearm	☐ 12 - Handgun	
☐ 12A - Automatic Handgun	☐ 13 - Rifle	☐ 13A - Automatic Rifle	
☐ 14 - Shotgun	☐ 14A - Automatic Shotgun	☐ 15 - Other Firearm	
☐ 15A - Automatic Other Firearm	☐ 20 - Knife/Cutting Instrument	☐ 30 - Blunt Object	
☐ 35 - Motor Vehicle/Vessel	☒ 40 - Personal Weapons	☐ 50 - Poison	
☐ 60 - Explosives	☐ 65 - Fire/Incendiary Device	☐ 70 - Drugs/Narcotics/Sleeping Pills	
☐ 85 - Asphyxiation	☐ 95 - Unknown	☐ AA - Drowning	
☐ AB - Strangulation	☐ AC - Hanging	☐ HA - Imitation Handgun	
☐ OA - Other	☐ OB - BB/Pellet Gun	☐ OC - Taser/Stun Gun	
☐ OD - Pepper Spray	☐ OE - Neglect		
PERSONAL WEAPON DETAILS Hands	CARGO THEFT	METHOD OF ENTRY	
HATE CRIME OFFENSIVE ACT	NUMBER OF PREMISES ENTERED		

Names

Offender/Suspect - [REDACTED] Mark [REDACTED] Author: Ginther, Michael

Involvement

Role: Offender/Suspect Offense: 242 - BATTERY ON PERSON - MIS

Relationships

Name: [REDACTED], Yvonne Is: Otherwise Known

Identity

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Identifying Documents

Names (continued)

Offender/Suspect - [REDACTED] Mark [REDACTED] (continued) Author: Ginther, Michael

[REDACTED]

Suspect Status
Suspect Status: Warrant Request

Victim - [REDACTED], Yvonne Author: Ginther, Michael

Involvement
Role: Victim Offense: 242 - BATTERY ON PERSON - MIS

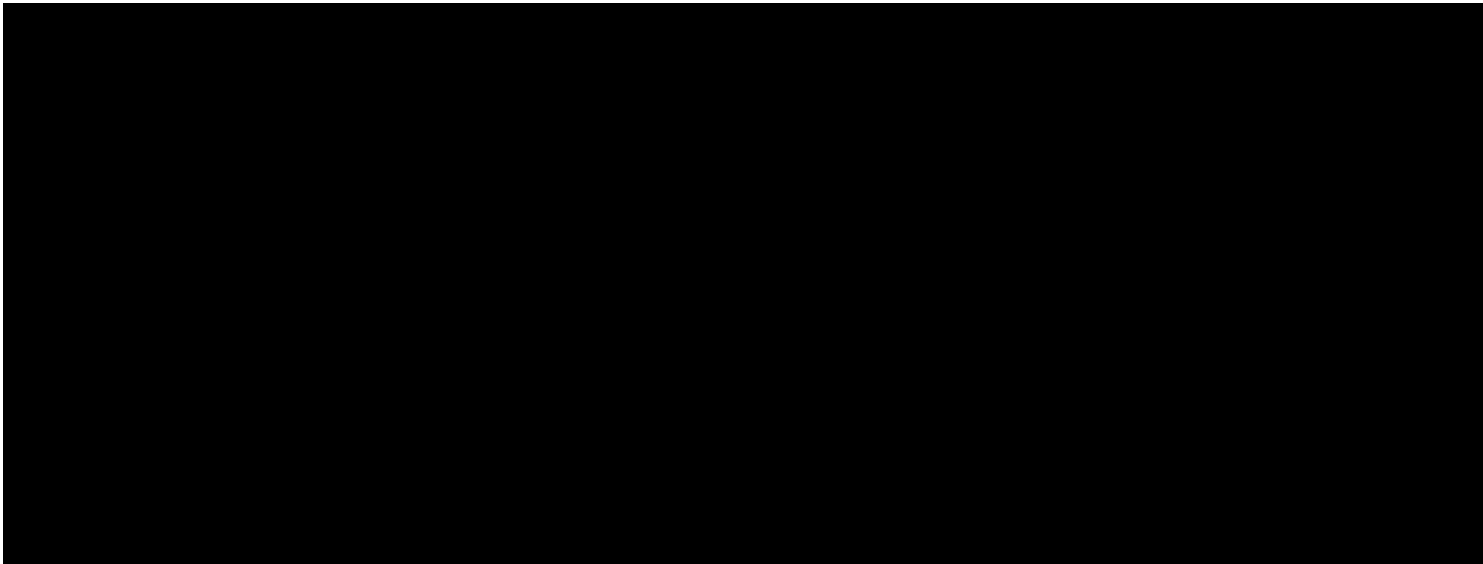
[REDACTED]

Witness - [REDACTED] Donald [REDACTED] Author: Ginther, Michael

Names (continued)

Witness - [REDACTED] **Donald** [REDACTED] (continued) **Author:** Ginther, Michael

Involvement
Role: Witness



Witness - [REDACTED] **Christina** [REDACTED] **Author:** Ginther, Michael

Involvement
Role: Witness



Witness - [REDACTED] **Soraida** [REDACTED] **Author:** Ginther, Michael

Involvement
Role: Witness

Names (continued)

Witness - [REDACTED] Soraida [REDACTED] (continued) Author: Ginther, Michael

[REDACTED]

Witness - [REDACTED] Marilyn Author: Ginther, Michael

Involvement
Role: Witness

[REDACTED]

Other - [REDACTED] Michelle [REDACTED] Author: Ginther, Michael

Involvement
Role: Other

[REDACTED]

CAO COPY

Names (continued)

Other - [REDACTED] Michelle [REDACTED] (continued) Author: Ginther, Michael

[REDACTED]

Other - [REDACTED] Sergio [REDACTED] Author: Ginther, Michael

Involvement

Role: Other

[REDACTED]

Witness - [REDACTED] MIRIAM Author: Ginther, Michael

Involvement

Role: Witness

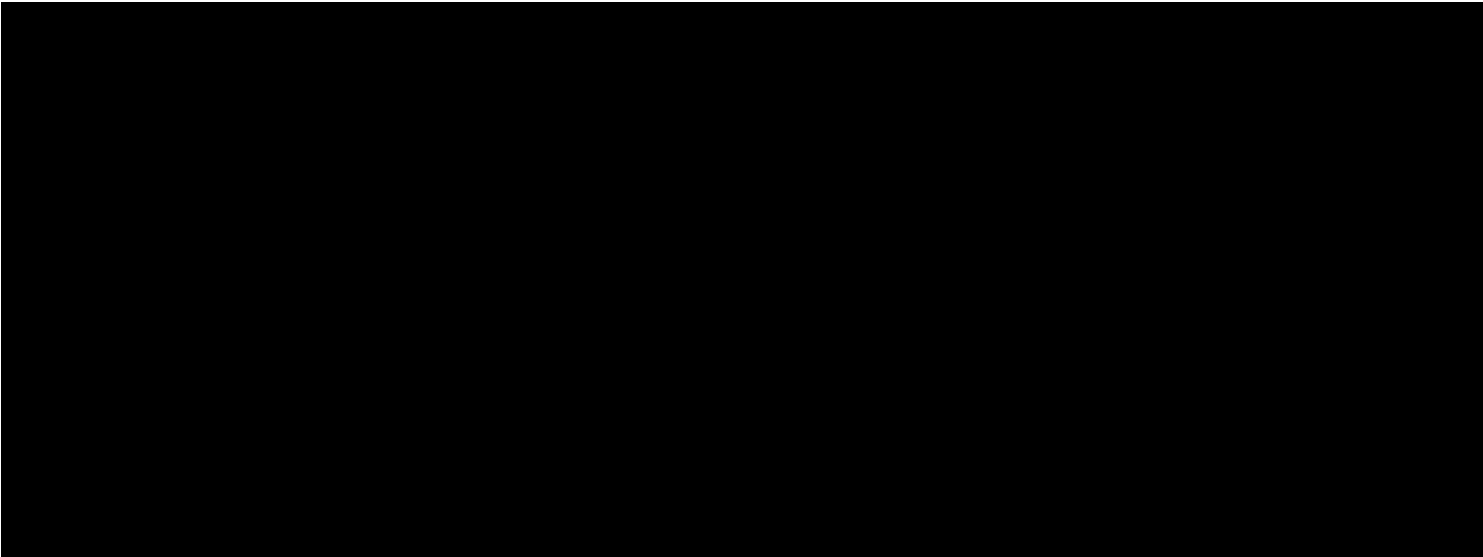
[REDACTED]

Names (continued)

Other - [REDACTED] Michael [REDACTED] Author: Ginther, Michael

Involvement

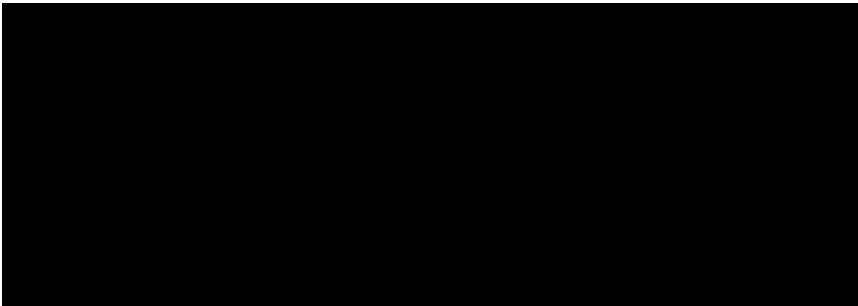
Role: Other



Other - [REDACTED] Nick Author: Ginther, Michael

Involvement

Role: Other



Vehicles

None reported.

Property

Evidence - OTHER Author: Ginther, Michael

Involvement

Role

ROLE
E - Evidence

CAO COPY

Property (continued)

Evidence - OTHER (continued) Author: Ginther, Michael

OFFENSE 242 - BATTERY ON PERSON - MIS
PROPERTY STATUS

Description

TYPE Other		VALUE
RECOVERED VALUE	X = OVER 3 DRUG TYPES	SERIAL NUMBER
DESCRIPTION USB 3.1 64GB - Digital Video Recording of city council session 2.58 hours.		
COLOR Blue	BRAND Micro Center	MODEL USB3.1
ARTICLE		

Related People

Related Person

Related Organizations

Related Organization

Recovery Details

RECOVERY DATE	RECOVERED BY
LOCATION	
LOCATION NOTE	

Narrative by Ginther, Michael

First Submitted: 02/08/2025 18:48

SUMMARY:

On 02/07/2025, during a city council meeting an interaction occurred between Mayor Mark [REDACTED] and City Council Member Yvonne [REDACTED]. Yvonne alleged a battery had occurred against her and desired criminal prosecution. Yvonne stated she was pushed by the mayor which caused her mild pain. I interviewed the parties involved and reviewed the video recording of the interaction and meeting. Yvonne's statement was inconsistent with all other parties interviewed and video recording. I was unable to determine if a crime had occurred and I am submitting this report to the District Attorney's office for review.

DISPOSITION:

Case pending - District Attorney Review

ADDITIONAL CHARGES:

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

PC 242

INJURY TO:

N/A

NARRATIVE:

On 02/07/2025, at approximately 1550 hours, I was dispatched to the Morgan Hill Police Department lobby at 16200 Vineyard Blvd in the City of Morgan Hill for the report of prior battery. The battery had occurred during a city council meeting in the council chambers located at 17555 Peak Ave. I arrived in the lobby and met with City of Morgan Hill Council Member Yvonne [REDACTED] and her husband.

Yvonne provided the following statement.

STATEMENTS OF YVONNE:

On 02/07/2025, at approximately 0930 hours, there was a council workshop at the council chambers. The discussion was heated, and the mayor (Mark [REDACTED]) was not happy about it. The floor was setup with chairs in a semi-circle and was an information meeting that was recorded.

Yvonne had proposed a resolution which revolved around immigration, which the mayor had told her prior not to put it in the workshop. Yvonne had researched policies with the attorney, that she wanted to explore but the mayor told her she could not speak. The mayor got frustrated and ended the meeting for a break.

Yvonne got up from her chair and walked over to get something to drink. Yvonne and the mayor passed by each other and Yvonne was shaking her head while the mayor was yelling and scolding her (like she is his daughter) while pointing in her face. The mayor told her she was too much and to get in line.

The mayor then pushed Yvonne. When Yvonne was explaining that she was pushed by the mayor, she re-enacted it on her husband. I asked Yvonne if that is how she was pushed and she showed me again, but it was different than the first time.

I asked Yvonne if her and her husband would act out the incident and show me how she was pushed.

Yvonne was pointing with her finger up in the air as if she was the mayor and as if her husband was her. Yvonne stated the mayor was yelling her, "You're not gonna this.." Yvonne responded, "You're too much" with her hands out to her sides. The mayor then pointed at her and said, "You're going to get in line." Yvonne then demonstrated a shove where her right hand and fingers were extended and pushed into her husband's stomach causing him to move backwards. I clarified if Yvonne had been pushed to where she also had been pushed backwards, which she responded, "Yeah."

I later asked Yvonne if she had felt any pain from the push. I gave Yvonne a scale from 0 to 10, where 0 pain is no pain and 10 pain is the worst pain she had ever felt. Yvonne told me she felt a 2 to 3 out of 10 pain, when she was pushed and shocked that it had occurred. Yvonne declined any medical attention.

Yvonne asked the mayor, "Did you just put your hands on me? Don't touch me." The mayor responded along the lines of, "Get along, or go on." Yvonne stated, "Oh my God, I cannot believe you put your hands on me." Yvonne turned and told the City Attorney, Donald Larkin, that the mayor had just pushed her.

Yvonne then spoke with the city attorney about what she should do and then later went to the Morgan Hill Human Resources Department and spoke with the HR manager Michael [REDACTED] about the incident.

Yvonne then returned to the council chambers to continue the meeting and was shaken and could not believe what had happened. Yvonne was upset and the meeting continued, and no further altercations occurred.

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

Yvonne did not notice if anyone had witnessed the incident but told me the city council and public were present. Yvonne believed no one came forward to do something or say something because he is the mayor.

I explained the process for a citizen's arrest for a misdemeanor. Yvonne desired criminal prosecution against the mayor for the battery.

Yvonne then went on to ask about how to obtain a prior reported incident. I referred her to the MHPD Records Division for a copy of the report. I answered additional questions not related to this incident and Yvonne provided no further statements regarding the battery.

Based upon Yvonne's statements and interaction with the City Attorney, Donald [REDACTED] I contacted him for an interview. I met with Donald at 17555 Peak Ave in his office and he provided the following statement.

STATEMENTS OF DONALD:

Donald was in the meeting in the council chambers. I asked Donald what had happened. Donald explained there was a heated discussion about a resolution on immigration. The meeting became heated between council member Martinez and the mayor. The mayor called for a five-minute break.

Yvonne stood up and began to walk around the seating area, Donald believed she was coming to talk to him because of an earlier discussion. Donald noticed Yvonne walk towards the mayor where there was a small gap to get around him, which he approximated to be 3ft. As opposed to walking around the larger opening towards the public.

Donald heard Yvonne say something to the mayor but could not make out what she had said. Donald was headed to talk to Yvonne when he heard the mayor say fairly loudly, something like, "You need to calm down."

Donald then went on to explain the mayor's habit of placing his hand on their shoulder. Donald saw what looked like the mayor was about to put his hand on her shoulder and heard Yvonne yell "Don't put your hands on me."

Donald believed the mayor had reached out with his left hand. Donald did not see his right hand or notice his right hand doing anything. Yvonne then continued by the mayor and met with Donald to make a personnel complaint. Donald explained the process to Yvonne about the internal city procedure.

I asked Donald if anyone else had witnessed the incident and he was not sure, and no one said anything to him. I asked if Yvonne had complained about any pain or if he had seen the mayor strike her or she had struck him. Donald went on to state the altercation did not look physical to him and that it was a habit of the mayor to touch people's shoulder and that is what it looked like to him. Donald did not see any pushing or act of pushing and if he had he would have reported it to police. Donald stated the interaction between Mark and Yvonne was probably a couple of feet from each other and not quite face to face.

The city manager, Christina [REDACTED] opened Donald's office door for another officer that had just arrived to assist. I asked Christina if she was present during the meeting which she stated she was. I met with Christina in her office next door, and she provided the following statement.

STATEMENTS OF CHRISTINA:

Christina stated the meeting had begun at 0900hours and began to explain who was present at the meeting which included, five council members, the mayor and the leadership team. During the meeting Yvonne wanted to move forward with a discussion for action and the council did not want to go in that direction. The meeting became tense, and the mayor stated they were going to take a 5-minute break. Christina explained where Yvonne was sitting in comparison to Mark and saw Yvonne get up and go towards where Mark was at and heard Mark say to Yvonne, "You need to calm down." Christina then heard Yvonne say, "Don't touch me."

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

Christina did not see any physical altercation occur between Mark or Yvonne. I asked Christina if there was possibly anyone else that had witnessed the altercation. Christina told me council members Soraida and Miriam had possibly witnessed the incident.

Christina provided me with information on how to obtain the video recording of the meeting and the contact information for both council members. I called Soraida [REDACTED] and arranged to meet with her at the corner of Monterey Rd and W 3rd St next to Ladera Grill where she was located. I met with Soraida, and she provided me the following statement.

STATEMENTS OF SORAIDA:

I met with Soraida and asked her what had happened during the meeting. Soraida stated the only thing that she had seen was Yvonne walking towards the mayor and she was already upset. The mayor reached out gently and lightly touched Yvonne on her left wrist. Soraida explained the touch was as if it meant to say, "I wanna talk to you."

Soraida again explained Yvonne was already emotional and very upset because she was wanting to make a resolution about immigration which caused tension.

Soraida heard the mayor tell Yvonne, "Let's talk about this" and saw him reaching out to her with his right hand.

Soraida did not see any physical altercation or push occur. Soraida again stated that all that happened was the mayor reached out with his hand to get her attention. Soraida heard Yvonne stated, "Don't touch me, don't touch me."

The council took a 5-minute break, and the session returned, and Yvonne was on her phone the afterwards texting.

Following my interview with Soraida a city employee, Michelle [REDACTED] with access to the video surveillance told me another city employee, Sergio [REDACTED] would come by at a later time and provide me with video footage.

NARRATIVE CONTINUED:

On 02/08/2025, I continued my investigation into the alleged incident that had occurred. I called Mayor Mark [REDACTED] and arranged an interview at the MHPD. The mayor arrived at the MHPD and wanted to provide a statement in the interview adjacent to the lobby.

I told the mayor I was conducting an investigation into an alleged incident during the council meeting day prior. I told the mayor he was not under arrest or being detained and was free to leave at any point through the unlocked door adjacent to me and back out the main entrance into the police department lobby. The mayor provided the following statement.

STATEMENTS OF MARK:

I told Mark I was investigating an incident that occurred around 0930 hours and asked him what had happened. Mark stated there was a contentious conversation. Mark called for a 5-minute break and stood up. Yvonne began to walk towards him which he assumed she was going to make her way to the other side of the room, and she was "chirping" something.

Mark demonstrated how the interaction occurred and while he was doing so I noticed Mark talked a lot with hand movement.

Yvonne towards him and as he turned towards her, he put the back of his hand with his fingers on her wrist and said, "Hey, you gotta settle down." Mark explained that was it and she said, "Don't touch me, don't touch me." Mark explained that she was saying that in a very raised voice. Mark said he reached out and touched her with his right hand on her left wrist.

After she made those statements, Mark told her she needed to go on her way, and she just walked away. Mark explained that nothing else occurred afterwards and the meeting continued after the 5-minute break.

Mark explained that nothing happened prior to the meeting or after the meeting and that Marilyn [REDACTED] and Soraida [REDACTED] had witnessed it. Mark provided me with both of their contact information.

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

Mark further explained that there was no physical altercation and that there had been no prior incidents of physical altercations or threats between either of them.

STATEMENTS OF MARILYN:

I called Council Member Marilyn and arranged an interview at the MHPD. Marilyn arrived and met with me in the interview room. I told Marilyn I was investigating an alleged incident that had occurred at the city council chambers meeting at around 0930 hours. Marilyn knew what I was referring to and provided the following statement.

Marilyn knew I was talking about the mayor and Yvonne. There had been a heated discussion by Yvonne and she was not getting what she wanted during the meeting. The mayor called for a 5-minute break, banged the gavel and stood up. Marilyn watched her get up and walk towards the mayor and wondered why she would walk past the mayor after the altercation had occurred and that it was a narrow pathway in that direction opposed to going the other direction to get to the other side.

Yvonne got up and walked by the city manager, the mayor reached with his right hand and very kindly told Yvonne to calm down and touched her hand. The mayor did not grab her just touched her hand and provided her comforting words. Marilyn did not see the mayor do anything with his left hand.

Marilyn stated she watched the whole thing. Yvonne then screamed "Don't touch me. Don't touch me." and she jumped back like someone had grabbed her. Yvonne then proceeded to keep walking. Marilyn saw everyone leave for the break and Yvonne went outside.

Marilyn stated she had a clear view of the interaction and that no other physical contact occurred, which she further expanded on as manhandling, grabbing her arm, touching her shoulder, her back, or any other part of her body, other than her hand and just said, calm down. Marilyn explained that Yvonne had just went berserk.

Marilyn reiterated what had happened and explained how the discussion about immigration had let up to her temper flaring. The tension revolved around the issues she had brought up and there was no other altercation before the meeting.

NARRATIVE CONTINUED:

I was provided with video recording from Sergio [REDACTED]. The video surveillance was approximately 3 hours in length. Due to the size of the video recording, I was unable to upload it to Axon's evidence.com directly and I transferred the video onto a USB drive. I later packaged and submitted the digital recording on the USB drive into evidence at the MHPD.

I reviewed the video recording of the meeting and interaction between the Mark and Yvonne. The following is a brief synopsis of that interaction. I did not watch the entirety of the meeting or complete events leading up to the 5-minute break period. Refer to the recording on the USB drive for complete details.

SUMMARY OF VIDEO SURVEILLANCE:

At around 17:40 minutes into the recording tensions had risen and the mayor called for a 5-minute recess. Yvonne can be heard trying to interject and going back and forth with the mayor. The mayor breaks the meeting and stands up and walked to his right. Yvonne stands up and walks towards where the mayor is located and prior to being face to face she puts her hands up at shoulder height while he leaned in towards her as if he was saying something. The mayor can be seen lightly touching Yvonne with his right hand on her left wrist as she continued by him. The two go off to the side of the screen and only Mark is visible.

Mark's elbows are tight next to his waist and then he placed his right hand into his pocket and his left hand can be seen down at his side. Shortly after he spun around and went back to sit in his seat.

At no time during the video recording was there any obvious signs of a push or physical altercation.

NARRATIVE CONTINUED:

Narrative by Ginther, Michael (continued)

First Submitted: 02/08/2025 18:48

At the time of completing this report I was unable to determine if a battery had occurred and I am requesting the District Attorney Review this report to determine if a crime had occurred.

I was unable to reach additional potential witnesses and plan to continue my investigation with Supplemental Reports. The additional potential witnesses I plan to interview are Michael [REDACTED] Nick [REDACTED] and Council Member Miram [REDACTED] and add their statements if they witnessed the incident.

EVIDENCE/PROPERTY:

Item #1: USB 3.1 64GB - Digital Video Recording of session 2.58 hours.

ADDITIONAL INFORMATION:

Booking video [not available]

PARTICIPATING LAW ENFORCEMENT:

Cpl. Ginther / 299 / BWC [available]

Narrative by Ginther, Michael

First Submitted: 02/12/2025 12:02

PURPOSE:

Additional Information.

ACTIVITY:

On 02/12/2025, at approximately 1030 hours, I contacted Nick [REDACTED] (City of Morgan Hill Chief Operating Officer) via my department issued cellphone. Nick was present at the meeting but did not witness the incident occur and only heard a commotion during the 0930 break that took place on 02/07/2025.

At approximately 1040 hours, I contacted Miriam [REDACTED] (City Council Member) via my department issued cellphone. Miriam was present during the meeting, seated next to Soraida, and was on her cellphone during the 5-minute break. Miriam heard Yvonne scream, "Don't touch me, don't touch me!" Miriam looked up and saw mark reach out with his left hand as if he was going to pat Yvonne on her shoulder. Miriam did not witness any other physical altercation and felt embarrassed regarding the incident.

At approximately 1050 hours, I contacted Michael [REDACTED] (Human Resources Director) via my department issued cellphone. Michael was present at the meeting but did not witness the incident but was put on notice by Yvonne about the mayor making physical contact with her. Michael and Yvonne had a confidential meeting regarding the incident, and he was unable to provide me the details.

As of the submission of this report, there have been no additional witnesses that have come forward, and no additional evidence has been provided for this incident.

DISPOSITION:

Narrative by Ginther, Michael (continued)

First Submitted: 02/12/2025 12:02

Case pending - District Attorney Review

CAO COPY

Morgan Hill Police Dept. - CA
Incident 2502070085 - Evidence List

Name	Description	Type
-	USB 3.1 64GB - Digital Video Recording of city coun-OTHER cil session 2.58 hours.	

CAO COPY

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Countywide	<u>Santa Clara County Library District Joint Powers Authority</u> 1370 Dell Avenue Campbell, CA 95008 Virginia Johnson, Executive Assistant vjohnson@sccl.org 408-293-2326 x3090 https://scclld.org/jpa/	Provide policy direction and governance for the Santa Clara County Library District. Cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill & Saratoga.	2025 Schedule: Meetings start at 12:00pm • April 24 • June 5 • September 4 • October 30 • January 29, 2026 1370 Dell Avenue Campbell, CA	(P) Turner (A) Vega	
Countywide	<u>Silicon Valley Interoperability Authority</u> <u>Eric Nickel, Executive Director</u> ENickel@svria.org (408) 615-5571 https://svria.org/	The Silicon Valley Regional Interoperability Authority (SVRIA) works to seamlessly integrate voice and data communications between law enforcement, the fire and rescue service, emergency medical services and emergency management for routine operations, critical incidents and disaster response and recovery.	For 2025, meets at 4:00 pm: • January 23 • March 27 • May 22 • September 25 • November 20 Santa Clara Police Department Common Room- 1st Floor 601 El Camino Real Santa Clara, CA	(P) Tom Cline – Gilroy (A) Turner	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Santa Clara Valley Habitat Agency Governing Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Serves as governing body for JPA and makes all decisions except those delegated to the Implementation Board Staff.	Quarterly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Ave	(P) Librers (P) Vega (A) Turner (A) Iwanaga	
Environmental	<u>Santa Clara Valley Habitat Agency Implementation Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Makes recommendations to the Governing Board regarding fees and budget, appoints executive officers and hiring of other agency personnel, services, and equipment, makes decision regarding real property acquisition and makes recommendations to the executive officers regarding grants and other funding.	Bi-Monthly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Ave	(P) Librers (P) Vega (A) Turner (A) Iwanaga (P) Carman (A) Ramirez	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Silicon Valley Clean Energy Authority</u> 333 W. El Camino Real, Suite 290 Sunnyvale, CA 94087 Andrea Pizano andrea.pizano@svcleanenergy.org (408) 721-5301 x.1005 https://www.svcleanenergy.org/board	The JPA created to collectively study, promote, develop, conduct, operate, and manage energy supply and efficiency programs related to the provision of clean power. Recommended two year assignment per SVCE	2nd Wednesday of the month 7:00 pm Cupertino Community Hall 10350 Torre Ave	(P) Martinez Beltran (A) Carothers	
Flood Control	<u>Santa Clara Valley Water District Elected Officials Quarterly Meeting (Llagas Creek PL 566)</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Candice Kwok-Smith Ckwok-smith@valleywater.org 408-630-2345	Specifically address Llagas Creek flooding and Anderson Dam Retrofit Project.	Quarterly on Fridays 10:00 am Currently held via Zoom only	(P) Vega (P) Iwanaga (A) Martinez Beltran	Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Housing	<u>Santa Clara County Housing & Community Development Advisory Committee (HCDAC)</u> Office of Supportive Housing 3180 Newberry Drive, Ste 150 San Jose, CA 95118 Les Clark Clerk of the Board of Supervisors- Records Division Lesley.clark@cob.sccgov.org 408-299-5087 Katrina Anderson Program Manager II Katrina.anderson@hhs.sccgov.org 408-918-8626	The role of the HCD Advisory Committee is to be the policy-recommending body to the Board of Supervisors on the planning, implementation, monitoring, and evaluation of the Urban County HCD Program. The Committee guides the development of a coordinated housing and community development plan and hears project proposals, reviews staff recommendations, and makes recommendations to the Board of Supervisors for final approval and forwarding to HUD.	As needed 70 West Hedding Street, 1st Floor Board Chamber	(P) Martinez Beltran (A) Librers	John Lang, Housing and Economic Mobility Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>City-School Liaison Committee</u> Morgan Hill Unified School District; 15600 Concord Circle or City of Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037-4128 Kelly Schriefer, Secretary to the Superintendent, MHUSD schrieferk@mhusd.org (408) 201-6001 Kim Mancera, Deputy City Clerk Kim.Mancera@morganhill.ca.gov (408) 310-4680 https://www.mhusd.org/about/board-of-education/cityschool-liaison-committee	To facilitate communication between the City and School District on issues of common concern.	Every other month, typically on Fridays at 8:30 am Meetings alternate between the City of Morgan Hill, City Hall 17575 Peak Ave and the Morgan Hill Unified School District Office 15600 Concord Cir	(P1) Turner (P2) Vega (A1) Librers (A2) Martinez Beltran	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>South County Youth Task Force – Policy Team</u> 7301 Hanna Street Gilroy, CA 95020 Bernice Aguilera SCYTF Program Manager baguilera@dao.sccgov.org (408) 608-8384 Sandra Cruz South County Youth Task Force Coordinator sandra.cruz@ci.gilroy.ca.us (408) 846-0337 <u>Interim Contacts</u> Aesha Sandoval Aesha.sandoval@cityofgilroy.org Sandra Quintanar Sandra.quintanar@cityofgilroy.org	The South County Youth Task Force is a collaboration of local governments, school districts, community and faith-based organizations, and law enforcement agencies in South County who are committed to serving, supporting, and uplifting our youth so that they have the opportunity to thrive.	2025 Schedule, meets at 10:00 am - January 15 Morgan Hill Council Chamber 17555 Peak Ave - March 19 Community Room Gilroy PD 7301 Hanna St. - May 21 Morgan Hill Council Chamber - August 20 Community Room Gilroy PD - September 17 Morgan Hill Council Chamber - November 19 Community Room Gilroy PD	(P1) Turner (P2) Librers The Mayor and one Council Member are ex-officio members of the Policy Team	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>ABAG</u> 375 Beale Street San Francisco Fred Castro, Clerk of the Board fcastro@bayareametro.gov (415) 820-7913 https://abag.ca.gov/overview/ga.html	Council of governments representing Cities & Counties in the Bay Area; a comprehensive planning agency addressing regional social, environmental, and economic issues.	Meets annually usually in June June 20, 2025 Location varies (Oakland or San Francisco)	(P) Martinez Beltran (A) Turner	(P) Jennifer Carman, Community Development Director (A) Edith Ramirez, Assistant City Manager
Regional Government	<u>Cities Association of Santa Clara County Board</u> PO Box 1079 Los Gatos, CA 95031 Shali Sirkay- Executive Director Shali@citiesassociation.org 408455-4154 http://citiesassociation.org/about-us.php	Promotes cooperation, represents the mutual interest, and presents a unified voice for the fifteen cities of Santa Clara County; each city in Santa Clara County appoints the Mayor or a Council Member to the Board of Directors; advocates for positive action to enhance the quality of life for the people of our county.	Monthly 2nd Thursday- Except for July & December 7:00 pm 456 W. Olive Ave Sunnyvale Sycamore Conference Room	(P) Turner (A) Librers	None, unless Morgan Hill serves as President, then City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>Cities Association of Santa Clara County Board</u> <u>City Selection Committee</u> PO Box 1079 Los Gatos, CA 95031 Shali Sirkay- Executive Director Shali@citiesassociation.org 408455-4154 http://citiesassociation.org/about-us.php	The committee makes recommendations on appointments to regional and countywide organizations.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Turner (A) Librers	
Regional Government	<u>Cities Association of Santa Clara County Board</u> <u>Legislative Action Committee</u> PO Box 1079 <u>Los Gatos, CA 95031</u> Shali Sirkay- Executive Director Shali@citiesassociation.org 408455-4154 http://citiesassociation.org/about-us.php	The committee provides basic legislative updates to cities with little or no legislative staff, organizes emergency responses to urgent issues, and enables the Cities Association to advocate on issues of mutual interest.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Turner (A) Librers	
Regional Government	<u>League of California Cities Peninsula Division</u> Montana Cruz Regional Public Affairs Manager, Peninsula Division 415-298-4940 mcruz@calcities.org http://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula	Comprised of the 36 cities from San Francisco to Gilroy, division members work together to enhance the quality of life in our communities, our region, and our state.	4 meetings per year: special meetings added as needed	(P) Librers (A) Turner	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Caltrain Local Policy Maker Group</u> 1250 San Carlos Avenue San Carlos, CA 94070 (650) 508-6200 Casey Fromson fromsonc@samtrans.com (650) 288-7625 Isabella Confertil confertil@caltrain.com http://www.caltrain.com/projectsplans/CaltrainModernization/Meetings.html	Advisory group comprised of elected officials and provides a formal venue to facilitate local input and guidance on the Caltrain Modernization Program.	Bi-Monthly 4th Thursday 5:30 pm *Tentative dates • January 23 • March 27 • May 22 • July 24 • September 25 • December 12 Zoom	(P) Librers (A) Martinez Beltran	Edith Ramirez, Assistant City Manager Tiffany Brown, Senior Planner
Transportation	<u>Comprehensive County Expressway Planning Study Policy Advisory Board</u> Santa Clara County Roads and Airports 101 Skyport Drive San Jose, Ca 95110-1302 Ben Aghegnehu ben.aghegnehu@rda.sccgov.org (408) 573-2462 http://sccgov.iqm2.com/citizens/default.aspx?	Provides an elected officials' forum for policy input to the <i>Expressway Plan 2040</i> – a long range plan for the improvement and maintenance of the eight County expressways and the Santa Teresa-Hale Corridor. All areas of need are included: capacity and operational improvements, signal operations, high-occupancy vehicle (HOV) lanes, bicycle, and pedestrian improvements, finishing elements, and ongoing operating and maintenance needs and funding strategy recommendations.	As needed 70 West Hedding Street, 1st Floor Board Chamber	(P) Turner (A) Librers	Chris Ghione, Public Services Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA)</u> <u>Policy Advisory Committee (PAC)</u> 3331 North First Street, Building B-1st Floor San Jose, CA 95134-1927 Michelle Oblena Advisory Committee Coordinator Michelle.oblena@vta.org (408) 321-5814 Elaine Baltao, Board Secretary Board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/advisory-committee/policy-advisory-committee-pac	Advises the VTA Board of Directors on policy matters relating to transportation and congestion management. <i>Board Member cannot serve on the PAC.</i> <i>(Note: participation is State-mandated)</i>	Monthly, 2nd Thursday 4:00 pm VTA River Oaks Campus 1331 N. 1st Street Room B-104 San Jose	(P) Martinez Beltran (A) Librers	Chris Ghione, Public Services Director Edith Ramirez, Assistant City Manager
Transportation	<u>Santa Clara Valley Transportation Authority (VTA)</u> <u>MG - Group 4</u>	Cities of Morgan Hill and Gilroy advise the PAC (see above) on transportation policy and funding issues. Discuss transportation items of mutual interest to the cities of Morgan Hill and Gilroy	Tuesday before each Thursday Board meeting, 9:00 am Zoom	(P) Turner (A) Martinez Beltran	Christina Turner, City Manager Chris Ghione, Public Services Director Edith Ramirez, Assistant City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA)</u> <u>Board of Directors</u> 3331 North First Street San Jose, CA 95134-1906 Elaine Baltao, Board Secretary board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/board-of-directors	Reviews issues relating to transportation and congestion management.	Monthly, 1 st Thursday 5:30 pm County Government Center 70 W. Hedding St. San Jose	(P) Turner (A) Bozzo (Gilroy) <i>(Alternates between MH and Gilroy every two years based on VTA preference – sometimes longer for continuity)</i>	Christina Turner, City Manager Chris Ghione, Public Services Director Edith Ramirez, Assistant City Manager
Water/Wastewater	<u>Santa Clara Valley Water Commission</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Stephanie Simunic ssimunic@valleywater.org	Advises the District on water supply, legislative issues, and integrated water resource management. <i>(Note: Most issues relate to imported water; Morgan Hill is 100% ground water)</i>	Meetings at noon: - January 22 - April 9 - July 23 - October 22 Santa Clara Valley Water District Headquarters Building Boardroom 5700 Almaden Exp, San Jose	(P) Martinez Beltran (A) Vega	James Sylvain, Deputy Director for Utilities Services Tanya Carothers, Environmental Programs Administrator

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>South County Regional Wastewater Authority (SCRWA) Board Meeting</u> 1500 Southside Drive Gilroy, CA 95020 Kerry Edmonds kerry.edmonds@jacobs.com Deputy Secretary of the Board (408) 848-0480 Saeid Vaziry, P.E. Saeid.vaziry@ci.gilroy.ca.us Secretary of the Board http://www.ci.gilroy.ca.us/561/Support/County-Regional-Wastewater-Authority	The South County Regional Wastewater Authority established by Joint Powers Agreement (cities of Gilroy & Morgan Hill) to provide common authority relating to Joint Wastewater Gilroy/Morgan Hill Sewage Treatment Plant located in Gilroy.	1st Wednesday of the Month, Quarterly 8:00 am 1500 Southside Dr Gilroy	(P1) Martinez Beltran (P2) Iwanga (A) Turner (A) Librers (A) Vega	James Sylvain, Deputy Director for Utilities Services Chris Ghione, Public Services Director Christina Turner, City Manager
Water/Wastewater	<u>Joint Water Resource Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Nicole Merritt nmerritt@valleywater.org (408) 630-3262 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx	Advance South County Water interests. Ensure the continued utilization of recycled water in South County and promote the expansion of water reuse in the region and to advance recycled water production, distribution, and wholesaling in South County.	Meetings follow SCRWA Board Meetings - 1st Wednesday of the Month, Quarterly (at the request of the committee) 1500 Southside Dr Gilroy	(P1) Martinez Beltran (P2) Iwanaga (A) Turner (A) Librers (A) Vega The members of SCRWA board also serve on this committee.	Christina Turner, City Manager Chris Ghione, Public Services Director James Sylvain, Deputy Director for Utilities Services

LIST OF CITY COUNCIL ADJUNCT COMMITTEES

Mayor Mark Turner

- Morgan Hill Chamber of Commerce Board (Mayor is ex-officio member)
- VTA Mobility Partnership Committee
- Cities Association, City Selection Committee LAFCO Board Member
- VTA Administration & Finance Committee (Chair)
- VTA Governance & Audit Committee

Council Member Yvonne Martinez Beltran

- Peninsula Division Executive Board Secretary, Cal Cities
- Housing, Economic, and Community Development Policy Committee for Cal Cities

Council Member Marilyn Librers

- Transportation, Communication, and Public Works Policy Committee for Cal Cities

Council Member Soraida Iwanaga

- City Liaison to the Sister City Committee

	Outside Agency	Primary 1	Primary 2	Alternate 1	Alternate 2	Alternate 3
1	SCC Library District JPA	Turner	-----	Vega	-----	-----
2	Silicon Valley Interoperability Authority	Cline (Gilroy)	-----	Turner	-----	-----
3	SCV Habitat Agency Governing Board	Librers	Vega	Turner	Iwanaga	-----
4	SCV Habitat Agency Implementation Board	Librers	Vega	Turner	Iwanaga	-----
5	Silicon Valley Clean Energy	Martinez Beltran	-----	City Teammate	-----	-----
7	SCVWD Elected Officials PL566	Vega	Iwanaga	Martinez Beltran	-----	-----
8	SCC Housing & Community Development Advisory Committee	Martinez Beltran	-----	Librers	-----	-----
9	City/School Liaison Committee	Turner	Vega	Librers	Martinez Beltran	-----
10	South County Youth Task Force	Turner	Librers	-----	-----	-----
11	ABAG	Martinez Beltran	-----	Turner	-----	-----
12	Cities Association	Turner	-----	Librers	-----	-----
13	Cities Association - City Selection Committee	Turner	-----	Librers	-----	-----
14	Cities Association - Legislative Action Committee	Turner	-----	Librers	-----	-----
15	LOCC Peninsula Division	Librers	-----	Turner	-----	-----
16	Caltrain Policy Maker Group	Librers	-----	Martinez Beltran	-----	-----
17	Comprehensive County Expressway Planning Policy Advisory Board	Turner	-----	Librers	-----	-----
18	MTA Policy Advisory Committee	Martinez Beltran	-----	Turner	-----	-----
19	MTA MG-Group 4	Turner	-----	Martinez Beltran	-----	-----
20	MTA Board of Directors	Turner	-----	Bozzo (Gilroy)	-----	-----
21	Valley Water Commission	Martinez Beltran	-----	Vega	-----	-----
22	South County Regional Wastewater Authority	Martinez Beltran	Iwanaga	Turner	Librers	Vega
23	Joint Water Resource Committee	Martinez Beltran	Iwanaga	Turner	Librers	Vega

Totals

	Primary	Alternate
Turner	9	8
Iwanaga	3	2
Librers	5	8
Martinez Beltran	7	4
Vega	4	4