

From: [Yvonne Martinez Beltran](#)
To: [Michelle Bigelow](#); [Shelline K. Bennett](#); [Christina Turner](#)
Cc: [Donald Larkin](#); [Cynthia Hasson](#); [Michael Horta](#); sallen6444@yahoo.com; [Karen Kramer](#)
Subject: Re: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda
Date: Tuesday, July 22, 2025 5:50:27 PM

Michelle,

I appreciate your message. Unfortunately, this is the first these details have been explained to me as demonstrated by my message. Now, I am prejudiced by the last minute info given to me, which is exactly why meeting today is inappropriate.

Please be sure to supplement this as part of the record and have my designated person read this statement for me into the record.
Thank you,

Yvonne Martínez Beltrán
Mayor Pro Tem
City of Morgan Hill

From: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>
Sent: Tuesday, July 22, 2025 4:43 PM
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>; sallen6444@yahoo.com <sallen6444@yahoo.com>; Karen Kramer <karen@kramerlaw.net>
Subject: RE: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda

Hello Yvonne,

You can attend the meeting via Zoom, as you are attending as an involved party, not an unbiased council member, just like Mayor Turner.

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
michelle.bigelow@morganhill.ca.gov
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From: Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>
Sent: Tuesday, July 22, 2025 4:30 PM
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>; Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>; Michael Horta <michael.horta@morganhill.ca.gov>; sallen6444@yahoo.com; Karen Kramer <karen@kramerlaw.net>
Subject: Re: Demand to Remove Improper Anticipated Litigation Item from Special Meeting Closed Session Agenda

Dear Christina/Michelle,

Again I am writing during City Council summer recess to ask the July 22nd meeting be rescheduled after the City Council reconvenes Aug 20th as I am unable to attend. I emailed Monday 7/14, "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."

Two days later, I was emailed that the City would be offering a zoom option and I was able to attend remotely. But the following day the agenda was already posted. First, as I explained to the City and notified the public in a statement to the press, I would be on vacation with my young family. We are on the move travelling on our trip with others who I would need to consider, coordinate and discuss with as, **I do not qualify for AB 2449 and per the Brown Act remote attendance requires being locked in a location, listing our location where I would attend remote publicly and posting it 3 days ahead of the meeting which we are**

unable to do. Second, attending remotely is not the appropriate forum for this issue and does not provide a fair opportunity to participate, or the transparency warranted.

This process appears biased and disingenuous to schedule the open meeting I requested in writing to the Council on June 17th - "that the City Council withdraw the *anticipated litigation* item from the closed session agenda of the Special Meeting scheduled for 6/18/25 and postpone to a (open) public hearing after recess." As the Council continued to hold closed sessions, I then made this same request twice more in person at both the 6/18 closed session and at the 6/25 closed session, (when City Council was already on summer recess per policy.)

We are being asked to forsake our planned family time to address the inappropriate behavior of Mayor Mark Turner. After asking three times for an open session in writing and at the beginning of closed sessions, I was not consulted if I could make a meeting during the recess. I clearly informed Council in writing and in person, I could not participate in the closed session because a complaint against a public official must be heard in public unless there is a threat of litigation. Because there was no threat of litigation as explained to Council in my letter, holding and attending a session intentionally closed to the public to discuss a complaint on a public official, Mayor Mark Turner, would violate the Brown Act. I did not attend the closed session due to a conflict as was stated but rather because I did not want to violate the Brown Act.

I understand Mayor Mark Turner is willing to attend during our planned annual Council recess, I would expect he should after his inappropriate behavior toward a colleague. We plan on this recess for months and so too will my new colleagues who may find in the future, if there was to be a special meeting scheduled during summer recess, they too might not be able to attend, even if it was an actual emergency, which this is not.

I also understand that Mayor Mark Turner is trying to justify calling a special meeting when I have already stated I cannot participate, and many have tuned out for summer, aware the Council is on a scheduled recess. Knowing I have communicated I reasonably cannot attend in person he wants to punish me for not attending, which only exemplifies and exacerbates the pattern of retaliation. I do not qualify to attend via zoom for the reasons listed above, nor is it appropriate for this situation.

I never could be there as I clearly communicated. Unfortunately, this has been arranged so that I couldn't be there. When the time comes, I have much to say about the situation and look forward to the opportunity to say it where the public has the ability to hear all of the facts from the source.

Please kindly supplement my comments and allow my designated person to read this tonight at the meeting. Hopefully, by now it is apparent this is not a fair open meeting and it will be rescheduled after Aug 20th when the City Council reconvenes after the summer recess.

Thank you,

Yvonne Martínez Beltrán
Mayor Pro Tem
City of Morgan Hill

From: Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>

Sent: Monday, July 14, 2025 11:19 AM

To: Shelline K. Bennett <sbennett@lwlegal.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 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

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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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