



# City of Sunnyvale

## Notice and Agenda Arts Commission

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Wednesday, October 21, 2020

7:00 PM

Telepresence Meeting: City Web Stream

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### **TELECONFERENCE NOTICE**

*Because of the COVID-19 emergency and the “shelter in place” orders issued by Santa Clara County and the State of California, the meeting of the Arts Commission on October 21, 2020, will take place by teleconference, as allowed by Governor Gavin Newsom’s Executive Order N-29-20.*

- *Watch the Arts Commission meeting at: <http://youtube.com/SunnyvaleMeetings>*
- *Submit written comments to the Arts Commission up to 4 hours prior to the meeting to [artscommission@sunnyvale.ca.gov](mailto:artscommission@sunnyvale.ca.gov) or by mail to City Clerk, 603 All America Way, Sunnyvale, CA 94086.*
- *Teleconference participation: You may provide audio public comment by connecting to the teleconference meeting online or by telephone. Use the Raise Hand feature to request to speak (\*9 on a telephone):*

*Meeting online link: <https://sunnyvale-ca-gov.zoom.us/j/96704441776>*

*Meeting call-in telephone number: 833-548-0276 | Meeting ID: 967 0444 1776*

*Pursuant to the Americans with Disabilities Act (ADA) and Executive Order N-29-20, if you need special assistance to provide public comment, contact the City at least 2 hours prior to the meeting in order for the City to make reasonable alternative arrangements for you to communicate your comments. For other special assistance; please contact the City at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting. ADA contact: Tracey Gott may be reached at 408-730-7599 or [ncs@sunnyvale.ca.gov](mailto:ncs@sunnyvale.ca.gov) (28 CFR 35.160 (b) (1)).*

### **CALL TO ORDER**

*Call to Order via teleconference.*

**ROLL CALL****ORAL COMMUNICATIONS**

*This category provides an opportunity for members of the public to address the commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow commissioners to take action on an item not listed on the agenda. If you wish to address the commission, please complete a speaker card and give it to the Recording Secretary. Individuals are limited to one appearance during this section.*

**CONSENT CALENDAR**

*All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.*

- 1      [20-0566](#)      Approve the Arts Commission Meeting Minutes of September 16, 2020

**Recommendation:** Approve the Arts Commission Minutes of September 16, 2020 as submitted.

**PUBLIC HEARINGS/GENERAL BUSINESS**

*If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes.*

- 2      [20-0779](#)      Review & Approve 2021 Master Work Plan

**Recommendation:** Approve 2021 Master Work Plan

- 3      [20-0780](#)      Annual Review and Acceptance - Code of Ethics

**Recommendation:** Review and Accept the 2020 Code of Ethics and Conduct

- 4      [20-0832](#)      Approve Art in Private Development Project - Fortinet/901 Kifer Road

**Recommendation:** 1. Recommend approval of the artwork as it is proposed.

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

- 5      [20-0567](#)      Discussion and Consideration of Potential Study Issue:  
Artist-in-Residence Program
- 6      [20-0897](#)      Discussion and Consideration of Potential Study Issue:  
Recycle, Reuse and Repurpose
- 7      [20-0911](#)      Arts Commission Proposed Study Issues, Calendar Year: 2021

**NON-AGENDA ITEMS & COMMENTS**

-Commissioner Comments

-Staff Comments

**ADJOURNMENT**

*Notice to the Public:*

*Any agenda related writings or documents distributed to members of this meeting body regarding any item on this agenda will be made available for public inspection in the originating department or can be accessed through the Office of the City Clerk located at 603 All America Way, during normal business hours and in the Council Chamber on the evening of the Arts Commission Meeting, pursuant to Government Code §54957.5.*

*Agenda information is available by contacting Ricky Le at 408-730-7336 or [rle@sunnyvale.ca.gov](mailto:rle@sunnyvale.ca.gov). Agendas and associated reports are also available on the City's website at [sunnyvale.ca.gov](http://sunnyvale.ca.gov) or at the One-Stop Desk, City Hall, 456 W. Olive Ave., Sunnyvale, CA, 72 hours before the Meeting.*



# City of Sunnyvale

## Agenda Item

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**20-0566**

**Agenda Date:** 10/21/2020

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**SUBJECT**

Approve the Arts Commission Meeting Minutes of September 16, 2020

**RECOMMENDATION**

Approve the Arts Commission Minutes of September 16, 2020 as submitted.





# City of Sunnyvale

## Meeting Minutes - Draft Arts Commission

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Wednesday, September 16, 2020

7:00 PM

Location: Telepresence Meeting: City  
Web Stream

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### **TELECONFERENCE NOTICE**

### **CALL TO ORDER**

Chair Eskridge called the meeting to order at 7:07 p.m. via teleconference.

### **ROLL CALL**

**Present:** 4 - Chair Dawna Eskridge  
Commissioner Jeremie Gluckman  
Commissioner Susannah Vaughan  
Commissioner Agnes Veith

**Absent:** 1 - Vice Chair Sue Serrone

Vice Chair Serrone's absence is excused.

Council Liaison Melton (absent)

### **PRESENTATION**

[20-0565](#) PRESENTATION - Art Program Trends

Community Services Manager, Trenton Hill gave a presentation on Sunnyvale Public Art Programs. Highlights included: Art in Private Development, Art in Public Places, the City's permanent collection, Commissioner's responsibilities and project review criteria.

Commissioners inquired and Mr. Hill or City staff responded:

- When is the in-lieu fee assessed? The fee is assessed when the building construction evaluation is calculated during the permitting process. It is determined by the Planning Division.

Chair Eskridge asked if there were any additional questions from the commission or

public. Being none, moved to next item.

### **ORAL COMMUNICATIONS**

None.

### **CONSENT CALENDAR**

Commissioner Vaughan moved and Commissioner Gluckman seconded the motion to approve the Arts Commission Minutes of July 15, 2020 as submitted. The motion carried by the following vote:

**Yes:** 4 - Commissioner Vaughan  
Chair Eskridge  
Commissioner Gluckman  
Commissioner Veith

**No:** 0

**Absent:** 1 - Vice Chair Serrone

1      [20-0683](#)      Approve the Arts Commission Meeting Minutes of July 15, 2020

Approve the Arts Commission Minutes of July 15, 2020 as submitted.

### **PUBLIC HEARINGS/GENERAL BUSINESS**

2      [20-0318](#)      Arts Commission Recommendation that the City Council (1) Approve the Master Plan for Public Art; and (2) Introduce an Ordinance Amending Municipal Code Chapter 19.52 (Art in Private Development) to Increase the Percent for Art Requirement from 1% to 1.5%, Implementing Option 2A of the Public Art Master Plan.

Planning Commission Recommendation that the City Council Introduce an Ordinance Amending Municipal Code Chapter 19.52 (Art in Private Development) to Increase the Percent for Art Requirement from 1% to 1.5%, Implementing Option 2A of the Public Art Master Plan.

Superintendent of Community Services, Damon Sparacino presented on the Master Plan for Public Art. Highlights included: Options for implementation, Sunnyvale arts and culture, Art in Private Development, Art in Public Places, Public Art Fund, Master Plan process, implementation options, August 2020 Council Study Session feedback and next steps.

Commissioners inquired and Superintendent Sparacino or City staff responded:

- Why was a recommendation not made to increase the in-lieu fee? Very few

companies currently select this option and we were looking to create an incentive for companies to select it.

- Will we have another opportunity to review the Master Plan for Public Art in more detail. Now is the time to give feedback. The information was included in the commission packet. Additional opportunities to provide public comment will be available when this is heard at the Planning Commission and Council. However, you will be providing feedback as a resident not as an Arts Commissioner. The Arts Commission will receive an annual update on the plan and, will recommend for Council's final approval, projects in the future under the Master Plan for Public Art. The Master Plan for Public Art will also be reviewed every 10 years.

- If approved who will be painting the utility boxes and will the Arts Commission have a say? Yes, the Commission will be involved in the process. The process will be similar to how the art was chosen for Fair Oaks Park, where the Commission will rank and rate and then go to Council for final approval.

- Have you considered involving Neighborhood Associations and schools in coming up with designs? We are still working out the details and would like High Schools to possibly do this as a group project. We will encourage artists countywide to apply and we will have a community based component.

Chair Eskridge asked if there were any additional questions or comments. Being none, Chair Eskridge asked for a motion.

Commissioner Vaughan moved to approve Alternatives 1 and 2, Approve the Master Plan for Public Art and introduce an ordinance amending Sunnyvale Municipal Code Chapter 19.52 (Art in Private Development) to increase the percent for art requirement from 1% to 1.5%, implementing Option 2A of the Public Art Master Plan; and Allocate \$50,000 from the Public Art Fund to implement a Utility Box Art project.

Commissioner Gluckman seconded the motion.

The motion carried by the following vote:

**Yes: 4 -** Commissioner Vaughan  
Chair Eskridge  
Commissioner Gluckman  
Commissioner Veith

**No:** 0

**Absent:** 1 - Vice Chair Serrone

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

[20-0558](#)

Arts Commission Proposed Study Issues, Calendar Year: 2021

Chair Eskridge asked if there were any study issues that the Commission would like to agendaize for the next meeting.

Commissioner Veith inquired on items that she sent in. Staff noted, no items were received.

**NON-AGENDA ITEMS & COMMENTS**

**-Commissioner Comments**

None.

**-Staff Comments**

Community Services Manager, Trenton Hill informed the Commission that staff had temporarily installed murals downtown and that an Art Night was being held every Tuesday evening on Murphy Avenue.

Mr. Hill also noted that Arts and Humanities Month was in October and that there would be a proclamation and Special Order of the Day at Council on Tuesday, September 29.

Commissioner inquired and City staff responded:

- What time are the Art Nights? We start around 5:30 p.m. and it goes to about 7 p.m., the start time may change since it is getting darker earlier.

**ADJOURNMENT**

Chair Eskridge adjourned the meeting at 7:58 p.m.



# City of Sunnyvale

## Agenda Item

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**20-0779**

**Agenda Date:** 10/21/2020

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Review & Approve 2021 Master Work Plan

Approve 2021 Master Work Plan

## **2021 Master Work Plan – DRAFT**

### **Arts Commission Annual Calendar**

<b>MEETING DATE</b>	<b>AGENDA ITEM/ISSUE</b>
January 20	<ul style="list-style-type: none"><li>• Rank Study Issues by January 31</li></ul>
February 17	<ul style="list-style-type: none"><li>• Public Art Project Discussion</li></ul>
March 17	<ul style="list-style-type: none"><li>• Hands on the Arts Festival</li></ul>
April 21	<ul style="list-style-type: none"><li>• Hands on the Arts Festival (Finalize Project and Plans)</li></ul>
May 19 Special Meeting	<ul style="list-style-type: none"><li>• Review Recommended Budget (Joint Meeting with Parks and Recreation Commission)</li></ul>
June 16	<ul style="list-style-type: none"><li>• Recognition of Service</li><li>• Arts Projects in Sunnyvale Camps</li></ul>
July 21	<ul style="list-style-type: none"><li>• Selection of Chair and Vice Chair</li></ul>
August 18	<ul style="list-style-type: none"><li>• Friends of Sunnyvale Pottery/Arts</li></ul>
September 15	<ul style="list-style-type: none"><li>• National Arts and Humanities Month (Oct planning)</li><li>• Master Plan for Public Art Annual Update</li></ul>
October 20	<ul style="list-style-type: none"><li>• AC Study Issue Sponsorship</li></ul>
November 17	<ul style="list-style-type: none"><li>• Review and Approve 2022 Master Work Plan</li><li>• Annual Review of Code of Ethics and Conduct for Elected and Appointed Officials</li></ul>
December 15	<ul style="list-style-type: none"><li>• Final month to Approve 2022 Master Work Plan</li></ul>

**Events:**

- TBD – Hands on the Arts
- TBD – State of the City



# City of Sunnyvale

## Agenda Item

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**20-0780**

**Agenda Date:** 10/21/2020

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Annual Review and Acceptance - Code of Ethics

Review and Accept the 2020 Code of Ethics and Conduct



## **City of Sunnyvale**

### **2020 Code of Ethics and Conduct for Elected and Appointed Officials**

*"Conduct is three-fourths of our life and its largest concern."*

*-- Matthew Arnold*



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*For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.*

## **Policy Purpose**

The Sunnyvale City Council has adopted a Code of Ethics and Conduct for members of the City Council and the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

### **A. ETHICS**

The citizens and businesses of Sunnyvale are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Sunnyvale Commitment to Excellence, the effective functioning of democratic government therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Sunnyvale City Council has adopted a Code of Ethics and Conduct for members of the City Council and of the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. The Ethics section of the City's Code of Ethics and Conduct provides guidance on ethical issues and questions of right and wrong.

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Sunnyvale and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Sunnyvale City Council, boards and commissions.
2. Comply with both the spirit and the letter of the Law and City Policy. Members shall comply with the laws of the nation, the State of California and the City of Sunnyvale in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Sunnyvale City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.
3. Conduct of Members. The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff or public.
4. Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by the City Council and board and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

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5. Conduct of Public Meetings. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
6. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. Communication. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.
8. Conflict of Interest. In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
9. Gifts and Favors. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
10. Confidential Information. Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
11. Use of Public Resources. Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
12. Representation of Private Interests. In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
13. Advocacy. Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do.

*For ease of reference in the Code of Ethics and Conduct, the term "member" refers to any member of the Sunnyvale City Council or the City's boards and commissions established by the City Charter, City Ordinance or Council policy.*

Councilmembers and board and commission members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, board/commission meetings, or other official City meetings.

14. **Policy Role of Members.** Members shall respect and adhere to the council-manager structure of Sunnyvale City government as outlined by the Sunnyvale City Charter. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except as provided by the City Charter, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.
15. **Independence of boards and commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.
16. **Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

## **B. CONDUCT**

The Conduct section of the City's Code of Ethics and Conduct is designed to describe the manner in which Councilmembers and board and commission members should treat one another, City staff, constituents, and others they come into contact with in representing the City of Sunnyvale. It reflects the work of a Council Policy and Protocol Subcommittee that was charged with defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. The Subcommittee also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected and appointed officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers and board and commission members to do the right thing in even the most difficult situations.

### **1. Elected and Appointed Officials' Conduct with One Another**

*"In life, courtesy and self-possession, and in the arts, style, are the sensible impressions of the free mind, for both arise out of a deliberate shaping of all things and from never being swept away, whatever the emotion, into confusion or dullness."*

*-- William Butler Yeats*

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Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may "agree to disagree" on contentious issues.

### **1(a). In Public Meetings**

#### *Use formal titles*

Elected and appointed officials should refer to one another formally during public meetings, such as Mayor, Vice Mayor, Chair, Commissioner or Councilmember followed by the individual's last name.

#### *Practice civility and decorum in discussions and debate*

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

#### *Honor the role of the chair in maintaining order*

It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

#### *Avoid personal comments that could offend other members*

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.

#### *Demonstrate effective problem-solving approaches*

Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Outside of official board or commission meetings, individual board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose. In private settings, board and commission members may communicate at any time and on any subject with individual members of the City Council, and may express to them individual viewpoints and opinions. In public, however, all members shall represent the official policies or positions of their board or commission, with the following exception. During a Council public hearing on any item addressed by the board or commission, any member may speak under standard time limits, but shall indicate whether their testimony represents an official position (majority opinion) or a minority opinion of the board/commission to which they belong. The chair shall represent the majority view of the board or commission, but may report on any minority views as well, including his or her own. When an official

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board or commission position differs from staff's recommendation on a particular policy issue, then at the Mayor's discretion additional time may be provided to the chair of the board or commission (or his/her designee) to explain the position of the board/commission or to rebut statements made by staff or the public. If new information is brought to light during a public hearing which was not shared previously with the board or commission, the Mayor may allow the board or commission chair to respond. If the Council deems the new information sufficient to warrant additional study, then by majority vote Council may remand the issue back to the board or commission for further study prior to taking other action itself.

Individual opinions and positions may be expressed by board and commission members regarding items that have not come before the particular board/commission to which they belong. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Sunnyvale, nor will they allow the inference that they do.

Although a board or commission may disagree with the final decision the Council makes, the board or commission shall not act in any manner contrary to the established policy adopted by the Council.

### **1(b). In Private Encounters**

#### *Continue respectful behavior in private*

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

#### *Be aware of the insecurity of written notes, voicemail messages, and E-mail*

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message were played on a speaker phone in a full office? What would happen if this E-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

#### *Even private conversations can have a public presence*

Elected and appointed officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

In private, board and commission members may communicate at any time and on any subject with the City Council, and may express to Council individual viewpoints and opinions.

## **2. Elected and Appointed Officials' Conduct with City Staff**

*"Never let a problem become an excuse."  
-- Robert Schuller*

Governance of a City relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and City staff who implements and administers the Council's

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policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

*Treat all staff as professionals*

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

*Member questions/inquiries to City staff*

1. General. Council and board/commission communications with City staff should be limited to normal City business hours unless the circumstances warrant otherwise. Responses to Council questions posed outside of normal business hours should be expected no earlier than the next business day.
2. Routine Requests for Information and Inquiries. Members may contact staff directly for information made readily available to the general public on a regular basis (e.g., “What are the library’s hours of operation?” or “How does one reserve a tee time at the golf course?”). Under these circumstances staff shall treat the member no differently than they would the general public, and the member shall not use their elected status to secure preferential treatment. The city manager does not need to be advised of such contacts.
3. Non-Routine Requests for Readily Available Information. Members may also contact staff directly for easily retrievable information not routinely requested by the general public so long as it does not require staff to discuss the issue or express an opinion (e.g., “How many traffic lights are there in the City?” or “Under what circumstances does the City lower its flags to half mast?”).
4. Non-Routine Requests Requiring Special Effort. Any member request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise) must be directed to the city manager, or to the city attorney, as appropriate (e.g., “How many Study Issues completed over the past five years have required 500 or more hours of staff time?”, or “What is the logic behind the City’s sign ordinances affecting businesses along El Camino Real?”). The city manager (or city attorney as appropriate) shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Councilmembers (if originating from a Councilmember), relevant board or commission members (if originating from a board or commission member), the city manager, the city attorney as appropriate and affected department directors.
5. Meeting Requests. Any member request for a meeting with staff must be directed to the city manager or city attorney, as appropriate.
6. Public Safety Restrictions. Under certain circumstances, requests for information regarding operations or personnel of the Department of Public Safety may be legally restricted. Applicable statutes include: The Peace Officers’ Procedural Bill of Rights (California Government Code Section 3300, et seq.), Confidentiality of Peace Officer Records (California Penal Code Section 832.5-7), and a number of exceptions to the California Public Records Act, defined in Government Code Section 6254. Providing information in response to such requests could violate the law, and might also violate due process rights that have been defined for peace officers in the State of

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California. Accordingly, it shall be the policy of the City of Sunnyvale to strictly comply with all applicable legal authorities governing the release of Department of Public Safety information and records.

*Do not disrupt City staff from their jobs*

Elected and appointed officials should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend City staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

*Never publicly criticize an individual employee*

Elected and appointed officials should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the city manager through private correspondence or conversation. Comments about staff in the office of the city attorney should be made directly to the city attorney. Appointed officials should make their comments regarding staff to the city manager or the Mayor.

*Do not get involved in administrative functions*

Elected and appointed officials must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. [See Code of Ethics] The Sunnyvale City Charter, Section 807, also contains information about the prohibition of Council interference in administrative functions.

*Check with City staff on correspondence before taking action*

Before sending correspondence, Councilmembers should check with City staff to see if an official City response has already been sent or is in progress. Board and commission members shall not send correspondence except as authorized under the City's policies governing volunteers. (Council Policy 7.2.19, Boards and Commissions.)

*Limit requests for staff support*

Routine secretarial support will be provided to all Councilmembers. The Council Executive Assistant opens all mail for Councilmembers, unless a Councilmember requests other arrangements. Mail addressed to the Mayor is reviewed first by the city manager who notes suggested action and/or follow-up items.

Requests for additional staff support – even in high priority or emergency situations – should be made to the city manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

*Do not solicit political support from staff*

Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private

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citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

### **3. Elected and Appointed Officials' Conduct with the Public**

*"If a man be gracious and courteous to strangers, it shows he is a citizen of the world, and that his heart is no island cut off from other lands, but a continent that joins to them."*

*-- Francis Bacon*

#### **3(a). In Public Meetings**

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

*Be welcoming to speakers and treat them with care and gentleness. While questions of clarification may be asked, the official's primary role during public testimony is to listen.*

"I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family's daily life and my home. I was feeling a lot of emotion. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity."

*Be fair and equitable in allocating public hearing time to individual speakers.*

"The first thing the Mayor said to me was to be brief because the meeting was running late and the Council was eager to go home. That shouldn't be my problem. I'm sorry my item was at the end of the agenda and that there were a lot of speakers, but it is critically important to me and I should be allowed to say what I have to say and believe that the Council is listening to me."

The chair will determine and announce limits on speakers at the start of the public hearing process. Questions should not be asked for the express purpose of allowing one speaker to evade the time limit imposed on all others (e.g., "Was there something else you wanted to say?"). Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed ten. If many speakers are anticipated, the chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the chair requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the chair reopens the public hearing for a limited and specific purpose.

*Give the appearance of active listening*

It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the

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room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

*Maintain an open mind*

Members of the public deserve an opportunity to influence the thinking of elected and appointed officials. To express an opinion or pass judgment prior to the close of a public hearing casts doubt on a member's ability to conduct a fair review of the issue. This is particularly important when officials are serving in a quasi-judicial capacity.

*Ask for clarification, but avoid debate and argument with the public*

Only the chair – not individual members – can interrupt a speaker during a presentation. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

If speakers become flustered or defensive by questions, it is the responsibility of the chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by members to the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

*No personal attacks of any kind, under any circumstance*

Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

*Follow parliamentary procedure in conducting public meetings*

The city attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. The chair, subject to the appeal of the full Council or board/commission makes final rulings on parliamentary procedure.

### **3(b). In Unofficial Settings**

*Make no promises on behalf of the Council, board/commission or City*

Members will frequently be asked to explain a Council or board/commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council or board/commission action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

*Make no personal comments about other members*

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other members, their opinions and actions.

*Remember that despite its impressive population figures, Sunnyvale is a small town at heart*  
Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Sunnyvale. Honesty

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and respect for the dignity of each individual should be reflected in every word and action taken by members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

#### **4. Council Conduct with Other Public Agencies**

*"Always do right. This will gratify some people and astonish the rest."*  
-- Mark Twain

*Be clear about representing the City or personal interests*

When representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint. Outside of official board or commission meetings, board and commission members are not authorized to represent the City or their board or commission unless specifically designated by the Council or the board or commission to do so for a particular purpose.

When representing another organization whose position is different from the City, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

*Correspondence also should be equally clear about representation*

City letterhead may be used when the Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the Council Executive Assistant to be filed in the Council Office as part of the permanent public record.

City letterhead should not be used for non-City business nor for correspondence representing a dissenting point of view from an official Council position.

#### **5. Council Conduct with Boards and Commissions**

*"We rarely find that people have good sense unless they agree with us."*  
--Francois, Duc de La Rochefoucauld

The City has established several boards and commissions as a means of gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

*If attending a board or commission meeting, be careful to only express personal opinions*

Councilmembers may attend any board or commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a board or commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

*Limit contact with board and commission members to questions of clarification*

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It is inappropriate for a Councilmember to contact a board or commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact board or commission members in order to clarify a position taken by the board or commission.

*Remember that boards and commissions serve the community, not individual Councilmembers*

The City Council appoints individuals to serve on boards and commissions, and it is the responsibility of boards and commissions to follow policy established by the Council. But board and commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten board and commission members with removal if they disagree about an issue. Appointment and re-appointment to a board or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A board or commission appointment should not be used as a political "reward."

*Be respectful of diverse opinions*

A primary role of boards and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on boards and commissions, but must be fair and respectful of all citizens serving on boards and commissions.

*Keep political support away from public forums*

Board and commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support board and commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

## **6. Conduct with the Media**

*"Keep them well fed and never let them know that all you've got is a chair and a whip."  
-- Lion Tamer School*

Board and commission members are not authorized to represent the City outside of official board/commission meetings unless specifically authorized to do so.

Councilmembers are frequently contacted by the media for background and quotes.

*The best advice for dealing with the media is to never go "off the record"*

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

*The Mayor is the official spokesperson for the City on City positions.*

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

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*Choose words carefully and cautiously*

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

## **C. SANCTIONS**

*"You cannot have a proud and chivalrous spirit if your conduct is mean and paltry;  
for whatever a man's actions are, such must be his spirit."  
-- Demosthenes*

### *Model of Excellence*

City Councilmembers, Board and Commission Members, and Council appointees who do not sign the Model of Excellence (Appendix A) shall be ineligible for intergovernmental assignments or Council subcommittees.

### *Ethics Training for Local Officials*

City Councilmembers, Board and Commission Members, and Council appointees who are out of compliance with State- or City-mandated requirements for ethics training shall not represent the City on intergovernmental assignments or Council sub-committees, and may be subject to sanctions.

### *Public Disruption*

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

### *Inappropriate Staff Behavior*

Councilmembers should refer to the city manager any City staff or to the city attorney any City Attorney's staff who do not follow proper conduct in their dealings with Councilmembers, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

### *Councilmembers Behavior and Conduct*

**Compliance and Enforcement.** The Sunnyvale Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Sunnyvale City Council, boards and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Mayor and Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

City Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Sunnyvale or with inter-government agencies) or have official travel restricted.

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Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

Councilmembers should point out to the offending Councilmember infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Vice Mayor.

It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

#### *Board and Commission Members Behavior and Conduct*

Counseling, verbal reprimands and written warnings may be administered by the Mayor to board and commission members failing to comply with City policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective board or commission, the city clerk, the city attorney, the city manager, and the City Council. Written reprimands administered by the Mayor shall not be included in packets for public meetings and shall not be publicized except as required under the Public Records Act.

The City Council may impose sanctions on board and commission members whose conduct does not comply with the City's policies, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation. The Report to Council shall be distributed in accordance with normal procedures, including hard copies to numerous public facilities and posting online. Any Report to Council addressing alleged misconduct by a board or commission member shall be routed through the Office of the city attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

When deemed warranted, the Mayor or majority of Council may call for an investigation of board or commission member conduct. Should the city manager or city attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the city manager and/or the city attorney to investigate the allegation and report the findings.

The results of any such investigation shall be provided to the full Council in the form of a Report to Council, and shall be placed on the agenda of a noticed public meeting as "Information Only". Any such report shall be made public and distributed in accordance with normal procedures (i.e., hard copies to numerous public locations and posted online). Any report to Council addressing the investigation of board and commission members shall be routed through the Office of the City Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Public Records Act.

It shall be the Mayor and/or the Council's responsibility to determine the next appropriate action. Any such action taken by Council (with the exception of "take no further action") shall be conducted at a noticed public hearing. These actions include, but are not limited to: discussing and counseling the

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individual on the violations; placing the matter on a future public hearing agenda to consider sanctions; forming a Council ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Council consideration.

Under the City Charter, the City Council also may remove members of boards and commissions from office. A violation of this Code of Ethics and Conduct shall not be considered a basis for challenging the validity of a Council, board or commission decision.

#### **D. PRINCIPLES OF PROPER CONDUCT**

##### **Proper conduct IS ...**

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

##### **Proper conduct IS NOT ...**

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

##### **It all comes down to respect**

Respect for one another as individuals ... respect for the validity of different opinions ... respect for the democratic process ... respect for the community that we serve.

#### **E. CHECKLIST FOR MONITORING CONDUCT**

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?

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- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

## **F. GLOSSARY OF TERMS**

<b>attitude</b>	The manner in which one shows one's dispositions, opinions, and feelings
<b>behavior</b>	External appearance or action; manner of behaving; carriage of oneself
<b>civility</b>	Politeness, consideration, courtesy
<b>conduct</b>	The way one acts; personal behavior
<b>courtesy</b>	Politeness connected with kindness
<b>decorum</b>	Suitable; proper; good taste in behavior
<b>manners</b>	A way of acting; a style, method, or form; the way in which things are done
<b>point of order</b>	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
<b>point of personal privilege</b>	A challenge to a speaker to defend or apologize for comments that a fellow member considers offensive
<b>propriety</b>	Conforming to acceptable standards of behavior
<b>protocol</b>	The courtesies that are established as proper and correct
<b>respect</b>	The act of noticing with attention; holding in esteem; courteous regard

## **G. IMPLEMENTATION**

As an expression of the standards of conduct for members expected by the City, the Sunnyvale Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, this document shall be included in the regular orientations for candidates for City Council, applicants to board and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City of Sunnyvale Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be annually reviewed by the City Council, boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.

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Adopted: RTC 08-113 (4/8/08), Update: RTC 09-036 (2/3/09); Updated: RTC 09-047 (2/24/09); Approved with no changes: RTC 10-078 (3/23/10); RTC 11-058 (3/29/11); RTC 12-067 (3/20/2012); Updated: RTC 13-060 (3/19/13); Approved with no changes: RTC 14-0211 (3/18/14); RTC 15-0050 (3/24/15); RTC 16-0360 (4/5/16); RTC 17-0161 (3/28/17); RTC 18-0036 (1/9/18); RTC 19-0185 (2/26/2019); RTC 20 0021 (3/17/2020)

Lead Department: Office of the City Manager

APPENDIX A - Model of Excellence Member Statement

**MODEL OF EXCELLENCE**

**Sunnyvale City Council, Boards and Commissions**

**MEMBER STATEMENT**

As a member of the Sunnyvale City Council or of a Sunnyvale board or commission, I agree to uphold the Code of Ethics and Conduct for Elected and Appointed Officials adopted by the City and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of Sunnyvale;
- Treat all people with whom I come in contact in the way I wish to be treated;

***I affirm that I have read and understood the City of Sunnyvale Code of Ethics and Conduct for Elected and Appointed Officials.***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

City Council Seat # \_\_\_\_

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# City of Sunnyvale

## Agenda Item

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20-0832

Agenda Date: 10/21/2020

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### REPORT TO ARTS COMMISSION

#### SUBJECT

Approve Art in Private Development Project - Fortinet/901 Kifer Road

#### BACKGROUND

Under the City's Art in Private Development Ordinance (Sunnyvale Municipal Code (SMC) Chapter 19.52), the Fortinet project at 901 Kifer Road is required to provide public art. The public art component must be equal in value to 1% of the building permit valuation. The minimum artwork expenditure for the project has been established as \$214,148.

The procedure established for reviewing the artwork is:

- 1) Review the artist's background, including their experience and ability to design, fabricate and install large-scale artwork(s).
- 2) Review the artwork to determine whether the nature and style of the artwork is appropriate for the site.
- 3) Determine whether the proposed artwork is appropriate in scale for the overall development.
- 4) Review the location of the artwork for accessibility to the public.
- 5) Review the maintenance and durability of the artwork.

The purpose of this report is to request the Arts Commission review and approve the proposed artwork. Under the Art in Private Development Ordinance, the Arts Commission is authorized to make a final determination on the proposed artwork and the City Council is not scheduled to consider this item.

#### EXISTING POLICY

Sunnyvale Municipal Code 19.52 - Art in Private Development

#### ENVIRONMENTAL REVIEW

A Program-level Environmental Impact Report (EIR) was prepared for the City's Land Use and Transportation Element (LUTE). The underlying project in this case was found to be within the scope of the LUTE Program EIR and therefore exempt from additional California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines sections 15168(c)(2) and (4). The City completed a checklist and determined that no new anticipated environmental impacts would occur, and no new mitigation measures were required. Consistent with SMC Chapter 19.52 (Art in Private Development), art was a required component of the project, and project conditions of approval required the applicant to obtain Arts Commission approval of the proposed art. The Planning Commission made findings approving the CEQA exemption and approved the project on or around Dec. 12, 2018 (RTC 18-0999).

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**DISCUSSION**

**Project Location:** The project is located at 901 Kifer Road between Commercial Street and San Lazaro Avenue (Attachment 1-Vicinity Map). The site is along a busy road in a predominately industrial area and is bounded by Central Expressway to the north, Kifer Road to the south, Commercial Street to the east and San Lazaro Avenue to the west.

**Project Description:** Fortinet is a network and content security company headquartered in Sunnyvale at 899 Kifer Road. This project is adjacent to the existing headquarters and redevelops 6.88 acres of adjacent parcels with a new four-story, office/R&D building (Attachment 2-Site Plan).

The new building is oriented in a north-south manner, similar to the existing headquarters, with the longest edge of the building facing Commercial Street. Surface parking for the new building can be accessed via two new driveways along Commercial Street. Pedestrians can access the new building from all four sides, including new walkways leading from Commercial Street and Kifer Road.

As part of this project, the existing headquarters will receive public frontage improvements and a new internal walkway connecting the existing and new buildings. The parcel at 905 Kifer Road, which is situated between the two Fortinet buildings on the site, is occupied by the Moose Lodge and is not a part of this project.

**Artwork Location:** The project includes a substantial landscaped area at the corner of Kifer Road and Commercial Street (Attachment 3-Site Plan Showing Art Location). The developer and artist are proposing to install the artwork in this area, as it will provide maximum visibility of the artwork from the street, public sidewalk and internal walkway.

**Selected Artist:**

The selected artist for this project is Stanford based Xiaoze Xie. Xie is an internationally recognized artist and a Professor of Art at Stanford University (Attachment 4-Artist's Resume). He has been actively exhibiting his work since 1991. His work is included in numerous permanent collections, including: the Museum of Fine Arts Houston, Denver Art Museum, Scottsdale Museum of Contemporary Art, San Jose Museum of Art and the Oakland Museum of California.

Xie studied architecture at Tsinghua University, Beijing, public art at the Central Academy of Arts & Design, Beijing, and visual arts at the University of North Texas, Denton. He has completed public art projects in the United States and China, including: the Federal Building and U.S. Courthouse in Davenport, Iowa; Shangri-La Hotel in Beijing, China; Beijing Institute of Information Technology, Beijing, China; and Silk Carpet Factory in Jiangsu Province. In 2018, Xie was commissioned by Park Hyatt Hotel in Beijing to create a major artwork for a public space.

**Artwork Proposal:** For this project, the artist has designed a large-scale glass sculpture entitled "Intersection" (Attachment 5-Renderings of "Intersection"). Standing 12 to 15-feet high by 20 to 22-feet wide, the sculpture will have three large glass panels that appear to intersect one another. Each panel will be constructed of ¼-inch thick tempered clear glass treated with an art application (hand-painted and printed images in vitreous paint, sandblasting, silvering, laminated dichroic glass and acid-etching) and supported by two layers of ½-inch thick safety glass (tempered and annealed). The two layers of safety glass will be laminated together with DuPont's Sentry Glass Plus, a plastic interlayer composite that provides strength. The safety glass is then laminated to the art glass with

the same interlayer. In the unlikely event the glass panels break, the glass will remain bonded to the interlayer and will stay in place, rather than shatter.

The entire sculpture is supported by matte-finished stainless-steel posts and continuous base channels (Attachment 6-Rendering of Support System). The bottom of the glass sculpture will sit at grade level amongst the landscaping and atop a concealed below-grade concrete beam supported by concrete piers.

The art glass will showcase several related elements: a star atlas, images of the cosmos and the human brain, patterns suggesting data and information technology and embedded computer processing chips (Attachment 7-Renderings of Art Glass Imagery). The artist describes his process and resulting imagery as, "Drawn from NASA's Hubble space telescope images and star maps, the cosmic patterns on the tallest and longest glass panels feature rich colors and vast spaces, overlapping with an image of the human brain that indicates the complex flow of electrochemical signals between the neurons. Floating around the brain are words suggesting various functions of the brain in relation to subjects in science and humanities: philosophy, mathematics, art, architecture, poetry, drama, etc. The overlapping of these interrelated objects, images and texts, the sculpture conceptually represents the connection between nature, humans, culture and technology, and also suggests Artificial Intelligence. The artwork resonates with the site of the Silicon Valley, home to so many tech companies."

**Lighting Plan:** At night the artwork will be illuminated from below using six adjustable LED uplights at grade level (Attachment 8-Lighting Plan). This source of lighting will create a dramatic wash of light.

**Maintenance:** Maintenance for the sculpture will be minimal. The glass will receive a self-cleaning coating, which will require re-application annually. In between, the glass will only require rinsing and polishing with a lint-free cloth. The stainless-steel elements can be cleaned with a polish as needed.

**Art Bond:** The City has collected a security in the form of a bond to guarantee installation of the art. The bond will be held until completion of the public art requirement, consistent with SMC Chapter 19.52 (Art in Private Development). The requirement will be deemed complete when the following conditions are met:

1. Installation of the art.
2. Installation of a plaque identifying the artwork and artist.
3. Installation of lighting for the artwork.
4. Registration of the artwork, and the property owner's obligation to maintain the artwork, with the County of Santa Clara.
5. Verification of the 1% expenditure.

### **FISCAL IMPACT**

If approved, the developer will be responsible for the design, fabrication and installation, as well as ongoing maintenance costs of the artwork. There is no fiscal impact on the City's operating budget other than incidental staff time to monitor the project, which is budgeted in the Art in Private Development Program.

### **PUBLIC CONTACT**

Public contact was made through posting of the Arts Commission agenda on the City's official-notice

bulletin board, on the City's website, and the availability of the agenda and report in the Office of the City Clerk.

**ALTERNATIVES**

1. Recommend approval of the artwork as it is proposed.
2. Do not recommend approval of the artwork as it is proposed.

**RECOMMENDATION**

1. Recommend approval of the artwork as it is proposed.

Prepared by: Kristin Dance, Recreation Services Coordinator II

Reviewed by: Trenton Hill, Recreation Services Manager

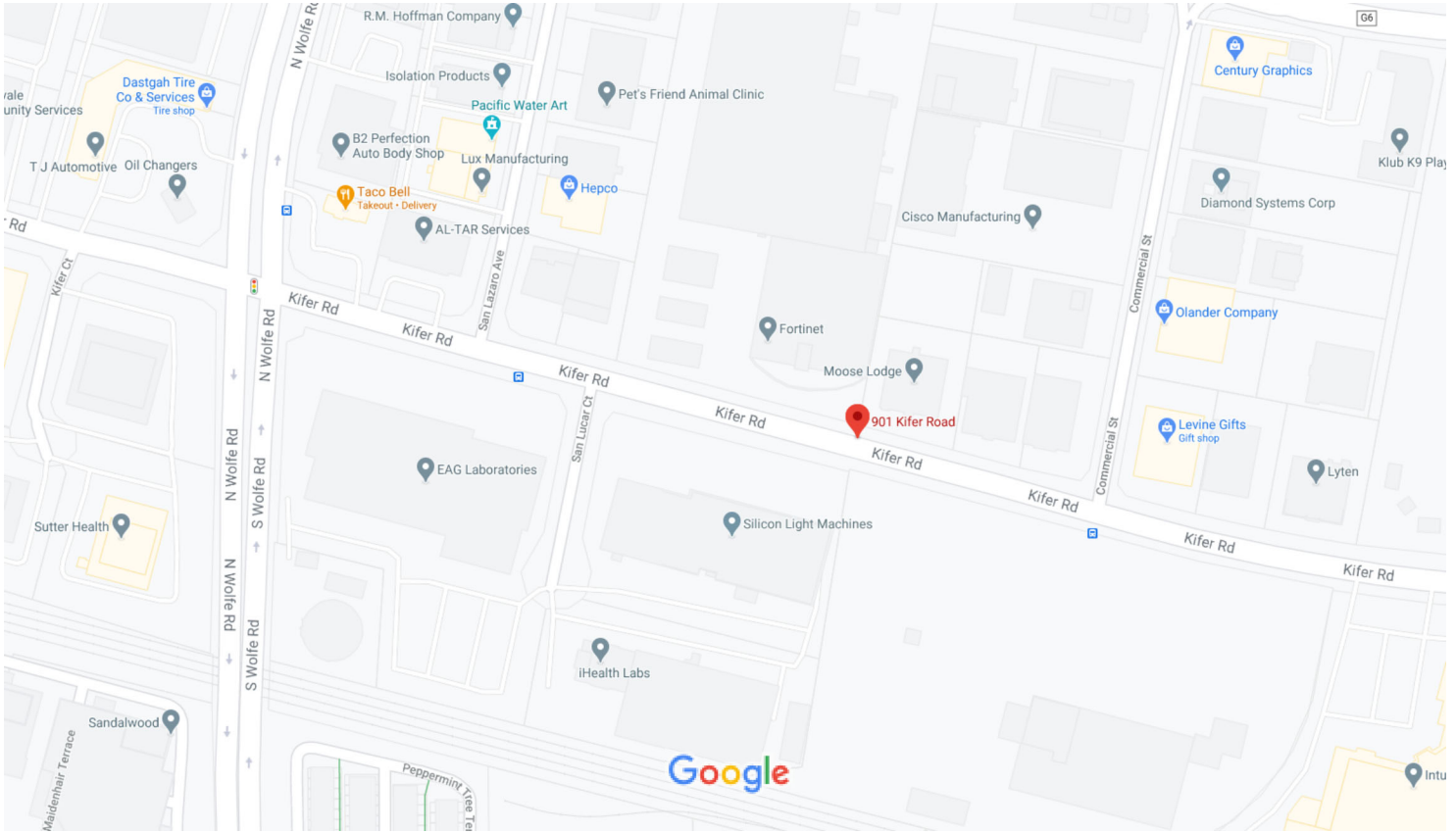
Reviewed by: Damon Sparacino, Superintendent of Recreation Services

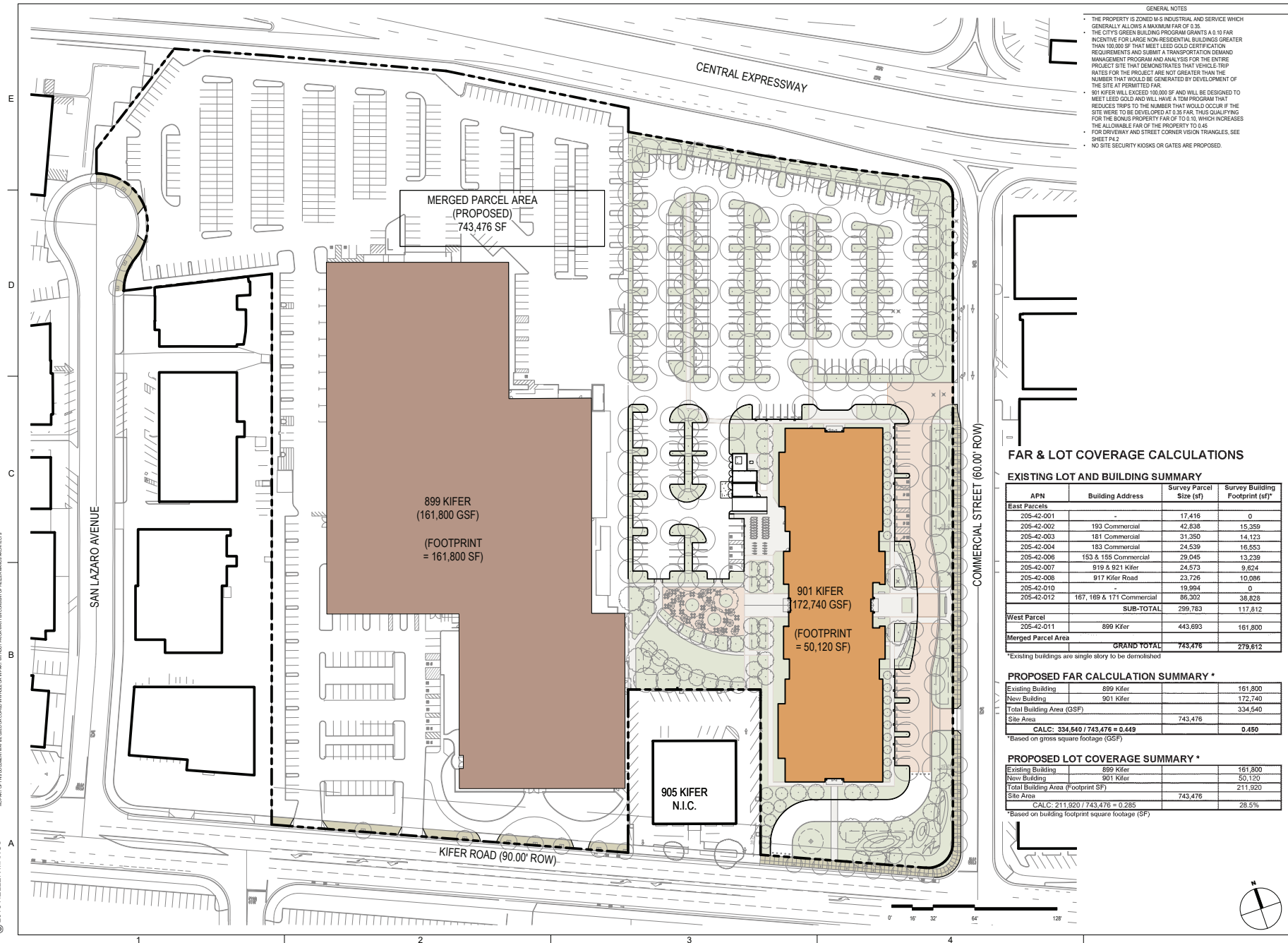
Approved by: Cherise Brandell, Director, Department of Library and Recreation Services

**ATTACHMENTS**

1. Vicinity Map
2. Site Plan
3. Site Plan Showing Art Location
4. Artist's Resume
5. Renderings of "Intersection"
6. Rendering of Support System
7. Renderings of Art Glass Imagery
8. Lighting Plan

Google Maps 901 Kifer Rd





### FAR & LOT COVERAGE CALCULATIONS

### EXISTING LOT AND BUILDING SUMMARY

APN	Building Address	Survey Parcel Size (sf)	Survey Building Footprint (sf)*
<b>East Parcels</b>			
205-42-001	-	17,416	0
205-42-002	193 Commercial	42,838	15,359
205-42-003	181 Commercial	31,350	14,123
205-42-004	183 Commercial	24,539	16,553
205-42-005	153 & 155 Commercial	29,445	13,239
205-42-007	819 & 821 Klier	24,573	9,624
205-42-008	917 Klier Road	23,776	10,086
205-42-010		19,994	0
205-42-012	167, 169 & 171 Commercial	86,302	38,828
	<b>SUB-TOTAL</b>	<b>299,763</b>	<b>117,612</b>
<b>West Parcel</b>			
205-42-011	899 Klier	443,693	161,800
<b>Merged Parcel Area</b>			
	<b>GRAND TOTAL</b>	<b>743,476</b>	<b>279,612</b>

\*Existing buildings are single story to be demolished

### PROPOSED FAR CALCULATION SUMMARY \*

Existing Building	899 Kifer	161,800
New Building	901 Kifer	172,740
Total Building Area (GSF)		334,540
Site Area	743,476	
CALC: $334,540 / 743,476 = 0.449$		0.450

\*Based on gross square footage (GSF)

1000

### PROPOSED LOT COVERAGE SUMMARY \*

Existing Building	899 Kiler		161,800
New Building	901 Kiler		50,120
Total Building Area (Footprint SF)			211,920
Site Area		743,476	
CALC: 211,920 / 743,476 = 0.285			28.5%

\*Based on building footprint square footage (SF)



PROJECT

**901 KIFER**

Sunnyvale, CA

**PLANNING APP. SUBMITTAL #1**

DATE \_\_\_\_\_

06/07/18

REVISIONS		
#	DESCRIPTION	DATE
1	PRELIMINARY REVIEW SUBMITTAL	04/02/18
2	PLANNING APP. SUBMITTAL #1	06/07/18

STAMP

**SHEET TITLE**  
**BUILDING AND PARCEL FAR**  
**CALCULATION PLAN**

SCALE

SHEET NO.

**C 1.2**

4





## XIAOZE XIE

Born 1966, Guangdong, China. Lives and works in Stanford, California and Beijing China.

### EDUCATION

- |      |  |
|------|--|
| 1996 | Master of Fine Arts, School of Visual Arts, University of North Texas, Denton, Texas |
| 1991 | Master of Arts, Central Academy of Arts and Design, Beijing, China                   |
| 1988 | Bachelor of Architecture, Tsinghua University, Beijing, China                        |

### GRANTS, AWARDS AND COMMISSIONS

- |      |  |
|------|--|
| 2016 | Academic Award in Painting, <i>The 3rd Nanjing International Art Festival</i> , Nanjing, P. R. China   |
| 2013 | Painters & Sculptors Grant, Joan Mitchell Foundation, New York   |
| 2008 | The National Endowment for the Humanities Chair in Humanities, Bucknell University, Lewisburg, Pennsylvania<br><i>Interpreting Brooklyn</i> Project Grant, Brooklyn Historical Society, Brooklyn, New York |
| 2003 | Pollock-Krasner Foundation Grant, New York, New York   |
| 2002 | U.S. General Services Administration's Art-in-Architecture Program commission for the Federal Building and U. S. Courthouse, Davenport, Iowa (catalog of project published in 2007 by GSA)                 |
| 2001 | Lindback Minority Junior Faculty Grant, Christian R. & Mary F. Lindback Foundation, Philadelphia, Pennsylvania   |
| 1999 | Arizona Artists Materials Fund Grants, Contemporary Forum, Phoenix Art Museum, Phoenix, Arizona  |
| 1996 | Awards to Artist, The Kimbrough Fund Award, Dallas Museum of Art, Dallas, Texas  |
| 1995 | First Place, Voertman Art Exhibition, University of North Texas Art Gallery, Denton, Texas   |
| 1994 | First Place, Greater Denton Arts Council Award, 26th Annual Juried Fine Arts Awards Exhibit of North Texas Area Art League, Center for the Visual Arts, Denton, Texas                                      |

### SOLO EXHIBITIONS

- |         |   |
|---------|---|
| 2019-20 | <i>Xiaoze Xie: Objects of Evidence</i> , Asia Society Museum, New York  |
| 2018    | <i>Forbidden Memories</i> , Nicholas Metivier Gallery, Toronto, Canada<br><i>Zoom In: Recent Paintings by Xiaoze Xie</i> , Zolla/Lieberman Gallery, Chicago   |
| 2017-18 | <i>Eyes On: Xiaoze Xie</i> , Denver Art Museum, Denver, Colorado<br><i>Nocturnes: New Work by Xiaoze Xie</i> , Anglim Gilbert Gallery, San Francisco, California<br><i>Xiaoze Xie: Confrontation and Disruption</i> , Stanford in Washington Art Gallery, Washington DC (catalogue) |
| 2017    | <i>Traces: Works by Xie Xiaoze</i> , Shantou University Art Gallery, Guangdong, China<br><i>Empty Field: Xie Xiaoze Solo Exhibition</i> , Yibo Gallery, Shanghai, China<br><i>Endurance: New Work by Xiaoze Xie</i> , Chambers fine Art, New York                                   |
| 2016    | <i>Xiaoze Xie: Albums, Prints and photographs</i> , East Asia Library, Stanford University  |

2015	<i>Xiaoze Xie: Subtexts</i> , Nicholas Metivier Gallery, Toronto, Canada <i>Xiaoze Xie: Excerpts</i> , Talley Dunn Gallery, Dallas, Texas <i>Xie Xiaoze: Libraries</i> , Moatti Masters/Contemporary, London, United Kingdom
2014	<i>Multiple Perspectives: New Work by Xie Xiaoze</i> , Chambers Fine Art, New York, New York
2013	<i>Multiple Perspectives: New Work by Xie Xiaoze</i> , Chambers Fine Art, Beijing, China (catalog) <i>Transience</i> , Gallery Paule Anglim, San Francisco, California
2012	Gallery Paule Anglim, San Francisco, California Nicholas Metivier Gallery, Toronto, Canada
2011	<i>Xiaoze Xie: Resistant Archeology</i> , Mary Porter Sesnon Art Gallery, University of California Santa Cruz, Santa Cruz, California <i>Transience Memories</i> , Dunn and Brown Contemporary, Dallas, Texas <i>Layers: Recent Work by Xiaoze Xie</i> , Chambers Fine Art, New York, New York; Bing Stanford in Washington, Washington D.C. <i>Xiaoze Xie: Theatre of Power</i> , Mesaros Galleries, West Virginia University, Morgantown, West Virginia
2010-12	<i>Xiaoze Xie: Amplified Moments (1993-2008)</i> , Samek Art Gallery, Bucknell University, Lewisburg, Pennsylvania. Touring through 2012: Knoxville Museum of Art, Knoxville, Tennessee; Jordan Schnitzer Museum of Art, University of Oregon, Eugene, Oregon; Bates College Museum of Art, Lewiston, Maine. (catalog)
2010	<i>Layers: Recent Work by Xiaoze Xie</i> , Chambers Fine Art, Beijing, China (catalog) Gaain Gallery, Seoul, Korea <i>Rhythm of Time, Corridor of Memory: A Site-specific Installation by Xie Xiaoze</i> , MADA s.p.a.m. Architectural Studio Office at Red Star Kindergarten, Shanghai
2009	Gallery Paule Anglim, San Francisco, California Nicholas Metivier Gallery, Toronto, Canada
2008	<i>Acts and Scenes 2001-2007</i> , Charles Cowles Gallery, New York, New York <i>Quotidian Truths: Paintings by Xie Xiaoze</i> , Morono Kiang Gallery, Los Angeles, California <i>Both Sides Now</i> , Zolla/Lieberman Gallery, Chicago, Illinois
2007	<i>The Museum Libraries</i> , Nicholas Metivier Gallery, Toronto, Canada; <i>Xiaoze Xie: Photographs</i> , Charles Cowles Gallery, New York, New York <i>Disposable Views</i> , Waterworks Visual Arts Center, Salisbury, North Carolina <i>Legacy</i> , Gaain Gallery, Seoul, Korea (catalog) <i>Transient Memories: Works on Paper by Xie Xiaoze</i> , dARTex, The Danish Cultural Center, Beijing, China (catalog) <i>Xiaoze Xie: Works on Paper</i> , The Modern Chinese Art Foundation, Ghent, Belgium (catalog)
2006	<i>The MoMA Library</i> , Charles Cowles Gallery, New York, New York (catalog)
2005	Nicholas Metivier Gallery, Toronto, Canada
2004	<i>2001-2003 Fragmentary Views</i> , Charles Cowles Gallery, New York, New York (catalog)
2003	<i>History: A Microscopic View</i> , China Art Archives and Warehouse, Beijing, China Davidson Galleries, Seattle, Washington
2002	Charles Cowles Gallery, New York, New York
2000	<i>Order: An Installation and Paintings by Xiaoze Xie</i> , Scottsdale Museum of Contemporary Art, Scottsdale, Arizona
1998	Devin Borden Hiram Butler Gallery, Houston, Texas

- 1997 The Evergreen State College, Olympia, Washington  
Davidson Galleries, Seattle, Washington
- 1996 *Puppet/Recent Work by Xiaoze Xie*, New Talent Gallery, Irving Arts Center, Irving, Texas  
*Xiaoze Xie: The Library Paintings*, Gallery 414, Fort Worth, Texas
- 1995 *Mosaics Series: Xiaoze Xie*, Dallas Visual Art Center, Dallas, Texas

## SELECTED GROUP EXHIBITIONS

- 2019-20 *2019 Bi-City Biennale of Urbanism\Architecture (UABB) (Shenzhen)*, Shenzhen, China
- 2019-20 *Global Conversations: Contemporary World in Dialogue*, Toledo Museum of Art, Toledo, Ohio
- 2019 *Ink at Current: 10<sup>th</sup> International Ink Art Biennial of Shenzhen*, Shenzhen Fine Art Institute, OCAT Shenzhen, OCT Art & Design Gallery, Shenzhen, China  
*On Paper: Collaborations in Print and Pulp from Wildwood Press*, Walton Arts Center, Fayetteville, Arkansas
- 2018-19 *Future Progress: Invitational Exhibition of Chinese Contemporary Art*, ZiniTown of Art; *Framework: Invitational Exhibition of Contemporary Painting*, the College of Art at South China Agricultural University; both in Guangzhou. Part of the 6<sup>th</sup> *Guangzhou Triennial* organized by the Guangdong Museum of Art.
- 2018-19 *Napoleon Special Exhibition, Dialogue between Contemporary and Tradition*, Himalayas Art Museum, Shanghai
- 2018 *Industry 4.0: Power of Transformation*, Hubei Museum of Art, Wuhan, China  
*Chen Jing: Contemporary Art Invitational Exhibition*, No. 1 Wanjiang Art Museum, Dongguan, Guangdong, China  
*Visual Anthology: Artworks & the Book*, Anglim Gilbert Gallery, San Francisco, California
- 2017 *Anren Biennale: Today's Yesterday*, Anren, Sichuan, China  
*The Unknown Future: Hebei International Visual Art Experimental Exhibition*, NIU Art Space, Shijiazhuang, Hebei, China  
*Vision and Voice: Reflections of Immigrant Artists in California*, ART ARK Gallery, San Jose, California  
*Words in Characters: Books as Vehicles*, Stanford University East Asia Library, Stanford, California  
*The Art of Asian Languages*, Oklahoma State University Museum of Art, Stillwater, Oklahoma
- 2016 *HISTORICODE: Scarcity & Supply/The 3rd Nanjing International Art Festival*, Baijia Lake Museum, Nanjing  
*Printmaking – A Fine Art: 20 Years of Wildwood Press*, St. Louis, Mitchell, Museum, Cedarhurst Center for the Arts, Mt. Vernon, Illinois  
*All Hands on Deck*, Faulconer Gallery, Grinnell College, Grinnell, Iowa
- 2015-16 *Fragmentary Narratives: Fang Lijun, Xie Xiaoze, Yang Jiechang and Yang Shaobin*, parallel exhibition of the 5<sup>th</sup> Art Changsha Biennial, the Changsha City Museum, Hunan, China;  
Thomas Welton Stanford Art Gallery, Stanford University, California
- 2015 *Liberating the Past from the Present: Contemporary Art in China*, Shengzhi Space, Beijing; Modern Art Museum, St. Petersburg, Russia  
*What can California art be?* Oakland Museum of California, Oakland, California

- Fragmentary Narratives: Fang Lijun, Xie Xiaoze, Yang Jiechang and Yang Shaobin*, Changsha City Museum, Changsha, China  
*A Record of Architectural Transformation*, The Ninth Songzhuang Culture and Art Festival 2015 Theme Exhibition, G-Dot Art Space, Beijing, China  
*"Retrospective" Paule Anglim (1923-2015) A memorial exhibition commemorating 50 years of support and collaboration*, Gallery Paule Anglim, San Francisco
- 2014 *The 1<sup>st</sup> China Xinjiang International Arts Biennale*, Urumqi International Exhibition Center, Urumqi, China  
*Beyond Architecture*, Long Art Museum, Shanghai; Times Cultural Complex Art Center, Guangzhou, China  
*Now Read This: Contemporary Art from the Collection of Driek and Michael Zirinsky*, Idaho Center for the Book, Boise State University, Boise, Idaho  
*Deep Reading*, Euphrat Museum of Art, De Anza College, Cupertino, California  
*Mirrored and Obscured: Contemporary Texas Self-Portraits*, Art Museum of Southeast Texas, Beaumont, Texas  
*Chroma*, Nicholas Metivier Gallery, Toronto, Canada  
*Yuan Yunfu & Tsinghua Fine Art Group*, East Exhibition Hall, National Center for the Performing Arts, Beijing, China  
*Alumni Showcase: Rachel Cox, Elliot Johnson, Xiaoze Xie*, UNT ArtSpace, Dallas, Texas
- 2013-14 *2012-2013 Chambers Review: Cai Jin, Feng Mengbo, Guo Hongwei, Song Hongquan, Taca Sui, Wu Jian'an, Xie Xiaoze, Zhang Dun*. Chambers Fine Art, Beijing
- 2013 *Zero State: 2013 The First Biennale of Installation Art in China*, Museum of Contemporary Art, Beijing, Xiangshan Art Museum, Beijing, Tianjin Art Museum, Tianjin, China  
*The Awakening of Intuition, The 13th China Pingyao International Photography Festival*, multiple venues, Pingyao, Shanxi, China  
*Living Legacies: The JSMA@80*, Jordan Schnitzer Museum of Art, University of Oregon, Eugene, Oregon  
*Mark My Word*, San Jose Museum of Art, San Jose, California  
*ac·qui·si·tions: A Selection from the Past Decade*, The Old Jail Art Center, Albany, Texas  
*We: 1994-2013 The 20<sup>th</sup> Anniversary Collective Exhibition of Chinese Song Zhuang Artists*, Songzhuang Art Center, Beijing, China  
*Ex Libris*, Talley Dunn Gallery, Dallas, Texas  
*Lies that Tell the Truth: Magic Realism in Contemporary Art*, University Art Gallery, Indiana State University, Terre Haute, Indiana (catalog)  
*War & Healing*, Euphrat Museum of Art, De Anza College, Cupertino, California  
*The Moment for Ink: Documenting the History of Ink Painting in America*, Asian Art Museum of San Francisco, Chinese Culture Center of San Francisco, San Francisco State University and the Silicon Valley Asian Art Center, California (catalog)
- 2012 *Aspects of a New Realism*, Roger Arthur Gallery, New Orleans, Louisiana (curated by Michael Klein)  
*Observations: Works by Xiaoze Xie, Shi Jing, Guo Hongwei and Zhang Dun*, Chambers Fine Art, ARTFARM, Saly Point, New York
- 2011-12 *Across the Divide*, Crossman Gallery, University of Wisconsin-Whitewater; Courtyard Gallery, The University of Texas at Austin (catalog)

- Library Science*, Artspace, New Haven, Connecticut (curated by Rachel Gugelberger)
- 2011 *Book-ish*, San Jose Museum of Art, San Jose, California  
*I Believe – Chinese Contemporary Art in Songzhuang*, Song Zhuang Art Center, Beijing (catalog)  
Shang Shang Art Museum, Beijing
- 2010 *New Variations*, Talley Dunn Gallery, Dallas, Texas  
*Re-Present: Pat Boas, Adam Chapman, Isaac Layman, Joe Park, Xiaoze Xie*, Elizabeth Leach Gallery, Portland, Oregon  
*Memory*, Well Art, Shanghai  
*The Message and the Medium: The Library Turns 10*, Sonoma State University, Rohnert Park, California
- 2009-10 *Something Geographical: Vernon Fisher, Buzz Spector and Xiaoze Xie*, Zolla/Lieberman Gallery, Chicago, Illinois; South Bend Museum of Art, South Bend, Illinois  
*Out of Bounds: Art from the Collection of Driek & Michael Zirinsky*, Whatcom Museum, Bellingham, Washington
- 2009 *First Chongqing Biennale for the Young Artists*, Chongqing International Convention and Exhibition Center, Chongqing, China (catalog)  
*China Urban: Exploring the Historical and Contemporary Chinese City*, Douglas F. Cooley Memorial Art Gallery, Reed College, Portland, Oregon (catalog)
- 2008-09 *Texas Collects Asia: Contemporary Art*, Crow Collection of Asian Art, Dallas, Texas.
- 2008 *Absurd Recreation: Contemporary Art from China*, Sweeney Art Gallery, University of California Riverside, Riverside, California (catalog)
- 2007 *Just Words: Xu Bing, Hong Hao, and Xie Xiaoze*, Morono Kiang Gallery, Los Angeles, California  
*The Vanishing: Re-presenting the Chinese in the American West: Hung Liu and Xiaoze Xie*, Sun Valley Center for the Arts, Sun Valley, Idaho (catalog)  
*What We Keep: An Exhibition on Books and Memory (Xiaoze Xie, Michele Oka Doner and Nina Katchadourian)*, Sun Valley Center for the Arts, Sun Valley, Idaho  
*Between Reality and Illusion*, Marty Walker Gallery, Dallas, Texas. Curated by George Morton and Karol Howard (catalog)
- 2006-08 *Shu: Reinventing Books in Contemporary Chinese Art*, China Institute Gallery, New York, New York; Seattle Asian Art Museum, Seattle, Washington; Honolulu Academy of Arts, Honolulu, HI. Curated by Wu Hung (catalog)
- 2006 *What War?* White Box, New York, New York. Curated by Eleanor Heartney, Larry Litt, and Juan Puentes  
*Why Lee Shot C: Buzz, she left 'em Vernon!* (William T. Wiley, Xiaoze Xie, Buzz Spector, Vernon Fisher) Zolla/Lieberman Gallery, Chicago, Illinois
- 2004-06 *Misleading Trails*, China Art Archives and Warehouse, Beijing, China; NIU Art Museum, Northern Illinois University, DeKalb, IL; University of North Texas Art Gallery, Denton, TX; Hanes Art Gallery, Wake Forest University, Winston-Salem, NC; Vanderbilt University Art Gallery, Nashville, TN; Boyden Gallery, St. Mary's College of Maryland, St. Mary's City, MD; Samek Art Gallery, Bucknell University, Lewisburg, PA. (catalog)  
*Regeneration: Contemporary Chinese Art from China and the US*, Samek Art Gallery, Bucknell University, Lewisburg, PA; David Winton Bell Gallery, Brown University, Providence, RI; Slusser Gallery, University of Michigan, Ann Arbor, MI;

- Ben Maltz Gallery, Otis College of Art & Design, Los Angeles, CA; University of California San Diego Art Gallery, San Diego, CA; Arizona State University Art Museum, Tempe, AZ; Williams College Museum of Art, Williamstown, MA; Ewing Gallery, University of Tennessee, Knoxville, TN; University of Virginia Art Museum, Charlottesville, VA (catalog)
- 2005-06 *The Daily News*, Salt Lake Art Center, Utah; Nicolaysen Art Museum, Casper, Wyoming; Boise Art Museum, Boise, Idaho (catalog)
- 2004 Nicholas Metivier Gallery, Toronto, Canada  
*Texas Vision: The Barrett Collection*, The Meadows Museum, Southern Methodist University, Dallas, Texas (catalog)
- 2003 *The Great Drawing Show 1550-2003*, Michael Kohn Gallery, Los Angeles, California  
*Cross the Divide*, Max L. Gatov and Werby Art Galleries at California State University, Long Beach, California (catalog)
- 2001 *Sally Packard and Xiaoze Xie*, Art League Houston, Houston, Texas  
Allentown Art Museum, Allentown, Pennsylvania  
Charles Cowles Gallery, New York, New York
- 2000 *2000 Exhibition of Guangdong Contemporary Oil Paintings*, Guangdong Museum of Art, Guangzhou, China  
*Recipients of 1999 Arizona Artists Materials Fund Grants*, Contemporary Forum, Phoenix Art Museum, Phoenix, Arizona  
Charles Cowles Gallery, New York, New York  
*Rosalyn Richards & Xiaoze Xie*, Bucknell University Art Gallery, Lewisburg, Pennsylvania
- 1999 *West Looks East: Jae Hahn, Katherine Chang Liu, Chiaki Shuji, Hung Liu, Yung Ja Lee, Younghee Cho Martin, Xiaoze Xie*, LewAllen Contemporary, Santa Fe, New Mexico
- 1998 *Building for the Millennium: Recent Acquisitions*, Scottsdale Museum of Contemporary Art, Scottsdale, Arizona
- 1997 *George Segal and Xiaoze Xie*, Bruce Gallery, Edinboro University of Pennsylvania, Edinboro, Pennsylvania
- 1996 *First Texas Annual*, grand opening group show, The Contemporary Art Center of Fort Worth, Fort Worth, Texas
- 1995 *Scott Barber and Xiaoze Xie*, 500X Gallery, Dallas, Texas  
McKinney Avenue Contemporary, Dallas, Texas
- 1994 *Unity and Diversity*, Cora Stafford Gallery, University of North Texas, Denton, Texas
- 1993 Center for the Visual Arts, Denton, Texas
- 1991 *Four Young Artists*, Shantou Painting Institute, Guangdong, China

## SELECTED PUBLIC COLLECTIONS

Allen Memorial Art Museum, Oberlin College, Oberlin, Ohio  
Arizona State University Art Museum, Tempe, Arizona  
Art Museum of Southeast Texas, Beaumont, Texas  
Baltimore Museum of Art, Baltimore, Maryland  
Bates College Museum of Art  
Bucknell University Samek Art Gallery, Lewisburg, Pennsylvania

Denver Art Museum, Denver, Colorado  
Eastfield College, Dallas, Texas  
Grinnell College, Grinnell, Iowa  
Jordan Schnitzer Museum of Art, University of Oregon, Eugene, Oregon  
The JPMorgan Chase Art Collection, New York, New York  
Microsoft Art Collection, Redmond, Washington  
Museum of Fine Arts, Houston, Texas  
Oakland Museum of California, Oakland, California  
The Old Jail Art Center, Albany, Texas  
San Jose Museum of Art, San Jose, California  
Scottsdale Museum of Contemporary Art, Scottsdale, Arizona  
Seattle University, Seattle, Washington  
U. S. Department of State, Art in Embassies

## TEACHING

2009-Present Paul L. & Phyllis Wattis Professor in Art, Department of Art & Art History, Stanford University, California.  
2008-2010 Guest Professor, Tianjin Academy of Fine Art, Tianjin, China  
2007-2009 Chair, Department of Art & Art History, Bucknell University, Lewisburg, Pennsylvania.  
2006-2009 Associate Professor, Bucknell University, Lewisburg, Pennsylvania.  
1999-2005 Assistant Professor, Bucknell University, Lewisburg, Pennsylvania.  
1996-1997 Visiting Artist, The Evergreen State College, Olympia, Washington  
1991-1992 Assistant Professor, Shantou University, Guangdong, China.

## CURATORIAL EXPERIENCE

2009 Catalog Essayist. *Deng Guoyuan and Rosalyn Richards*, Tianjin Academy of Fine Arts Museum, Tianjin, China and Samek Art Gallery, Bucknell University, Lewisburg, Pennsylvania.  
2007 Catalog Essayist. *Between Reality and Illusion*, Marty Walker Gallery, Dallas, Texas  
2004-06 Co-curator, catalog essayist and editor. *Misleading Trails*, China Art Archives and Warehouse, Beijing, China; NIU Art Museum, Northern Illinois University, DeKalb, IL; University of North Texas Art Gallery, Denton, TX; Hanes Art Gallery, Wake Forest University, Winston-Salem, NC; Vanderbilt University Art Gallery, Nashville, TN; Boyden Gallery, St. Mary's College of Maryland, St. Mary's City, MD; Samek Art Gallery, Bucknell University, Lewisburg, PA  
Co-curator, catalog contributor. *Regeneration: Contemporary Chinese Art from China and the US*, Samek Art Gallery, Bucknell University, Lewisburg, PA; David Winton Bell Gallery, Brown University, Providence, RI; Slusser Gallery, University of Michigan, Ann Arbor, MI; Ben Maltz Gallery, Otis College of Art & Design, Los Angeles, CA; University of California San Diego Art Gallery, San Diego, CA; Arizona State University Art Museum, Tempe, AZ; Williams College Museum of Art, Williamstown, MA; Ewing Gallery, University of Tennessee, Knoxville, TN; University of Virginia Art Museum, Charlottesville, VA.  
1994 Curator. *X-tracted*, 500X Gallery, Dallas, Texas



## SELECTED BIBLIOGRAPHY

- 2018 Boyle, Kathleen. "Xiaoze Xie: Read All About It, Enduring Ephemera." *Nashville Arts Magazine*, March 2018. pp. 39-41
- 2015 Li, Na. "Exhibit shows transient nature of news and life." *China Daily* (Canada), June 5, 2015
- 2014 Tancock, John. "Multiple Perspectives." Master's Profile, *The Fine Arts World*, March/April 2014, pp. 38-49
- 2013 Råcker, Barbara. "Lies that Tell the Truth: Magic Realism in Contemporary Art." Catalogue essay, University Art Gallery, Indiana State University, February 22 – March 22, 2013
- Wei, Lilly. "Xie Xiaoze at Chambers Fine Art." *ARTnews* December 2013, p. 107
- Baker, Kenneth. "Wilson-Ryckman and Xie." *San Francisco Chronicle*, September 7, 2013, p. E-2
- New American Painting/Juried Exhibition-in-Print*, No. 103, Pacific Coast, Volume 17, Issue 6, December/January 2013, pp. 150-153
- 2012 Baker, Kenneth. "Xie at Anglim." *San Francisco Chronicle*, June 23, 2012. p. E2
- Little, Carl. "Xiaoze Xie: Amplified Moments (1993-2008)." *Art New England*, March/April 2012
- Konau, Britta. "'Amplified Moments' of power and knowledge." *The Portland Phoenix*, February 15, 2012
- Isaacson, Philip. "In the Arts: 'The Inspired Hand,' other shows offers a splendid creative diversion." *The Portland Press Herald*, February 13, 2012
- Keyes, Bob. "Winter Wonderscape." *Audience*, January 22, 2012
- 2011 Morse, Trent. "Xiaoze Xie at Chambers Fine Art." *ARTnews* June 2011, p. 109
- Keefer, Bob. "Photo-Like." *The Register-Guard*, October 20, 2011
- "Amplified Moments": Bates College will show works by famed Chinese artist Xiaoze Xie." *Sun Journal*, December 27, 2011
- Spica, Heather Joyner. "Chinese-American Artist Xiaoze Xie Captures Moments Amplified and Unplugged." *Metro Pulse*, March 23, 2011
- McRary, Amy. "New media: artists use printed matter to create studies of history." *Knoxville News Sentinel*, March 6, 2011
- 2010 Baker, Kenneth. "Library Still Lives Exude Elegiac Air." *San Francisco Chronicle*, January 9, 2010. p. E3
- Kelley, Jeff. "The Archivist." Catalogue essay, *Layers: Recent Works by Xiaoze Xie*,

Chambers Fine Art, Beijing, China.

Bowie, Chas. "Quite a Group at Leach." *The Oregonian*, February 26, 2010.

2009 Dault, Gary Michael. "To Paint Book Is to Save Them." *The Globe and Mail*, September 12, 2009.

Claypool, Lisa. "China Urban: An Interview with Xie Xiaoze." *Yishu: Journal of Contemporary Chinese Art*, July/August 2009, Volume 8, Number 4. pp. 41-50

Reproductions in *Harvard Review*. Number 37. pp. 140-141

2008 Caine, William. "The Spirit of Law/Iowa Reports" in *GSA Art in Architecture Selected Artworks 19997-2008*, introduction by Eleanor Heartney. U.S. General Services Administration, 2008, pp.100-103 (book)

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Smith, Roberta. "When Newspaper Photographs Are Worth a Thousand Paintings." *The New York Times*, November 6, 2008. p. C1, C5

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Nance, Kevin. "For Xie, papers are all the news that's fit to paint Print friendly." *Chicago Sun-Times*, April 18, 2008

2007 Wei, Lilly. "On Time: The Works of Xiaoze Xie." Brochure essay, Dowd Fine Arts Gallery, State University of New York Cortland, Cortland, New York

Reproductions in *BOL Journal*. Winter 2007. pp. 143-154

Zhang, Ting. "Transient Memories." *Phoenix Weekly*, Issue No. 264, August 2007, pp. 60-63

Li, Yanling. "Transient Memories: Works on Paper by Xie Xiaoze." *Shanghai Stock News*, Saturday, July 21, 2007. p. 15

Xia, Kejun. "Transient Memories and the Responsibility of Reading." Catalog essay, *Transient Memories: Works on Paper by Xie Xiaoze*, The Danish Art Exchange, Beijing, China

Doom, R. "Wanneer de dappere winterpruimen in de sneeuw bloesemen..." catalog essay, *Xiaoze Xie: Werken op papier*, Modern Chinese Art Foundation, Ghent, Belgium

Vaughn, Katie. "Speaking Volumes, Paintings of Books Honor Legal System in U.S., Iowa." *Quad-City Times*, February 11, 2007, Section H, p. 1, 7

2006 McGee, Carrie. "Misleading Trails." *Number: An Independent Arts Journal*, Spring/Summer 2006. pp. 20-21

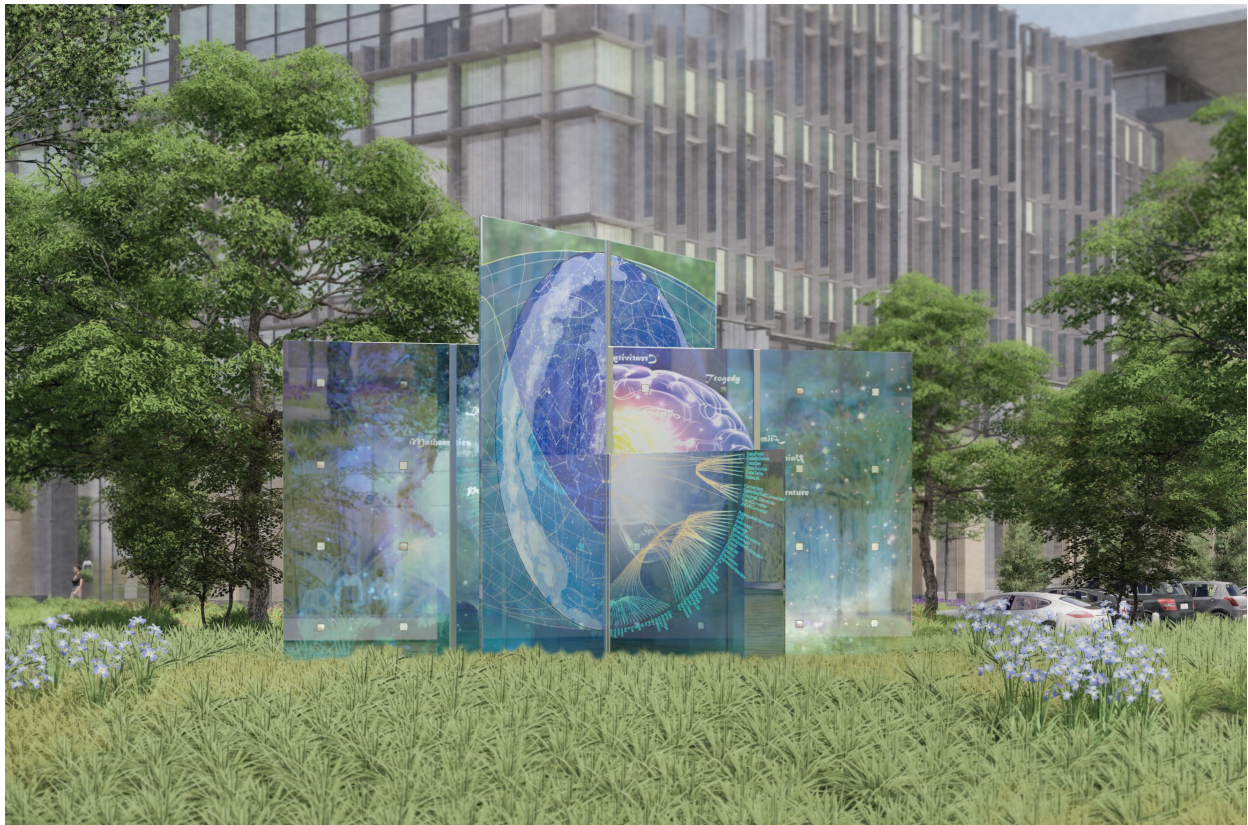
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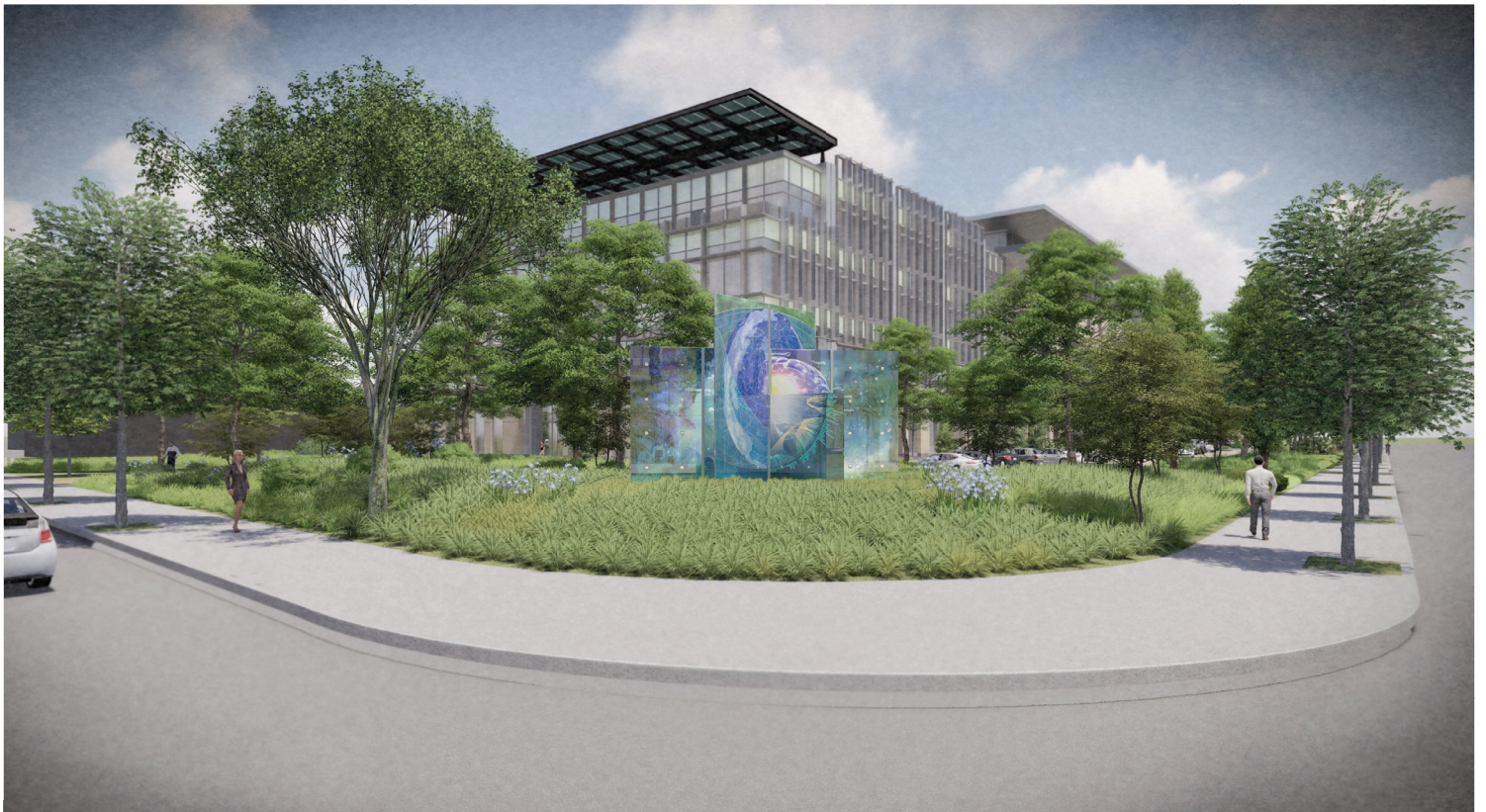
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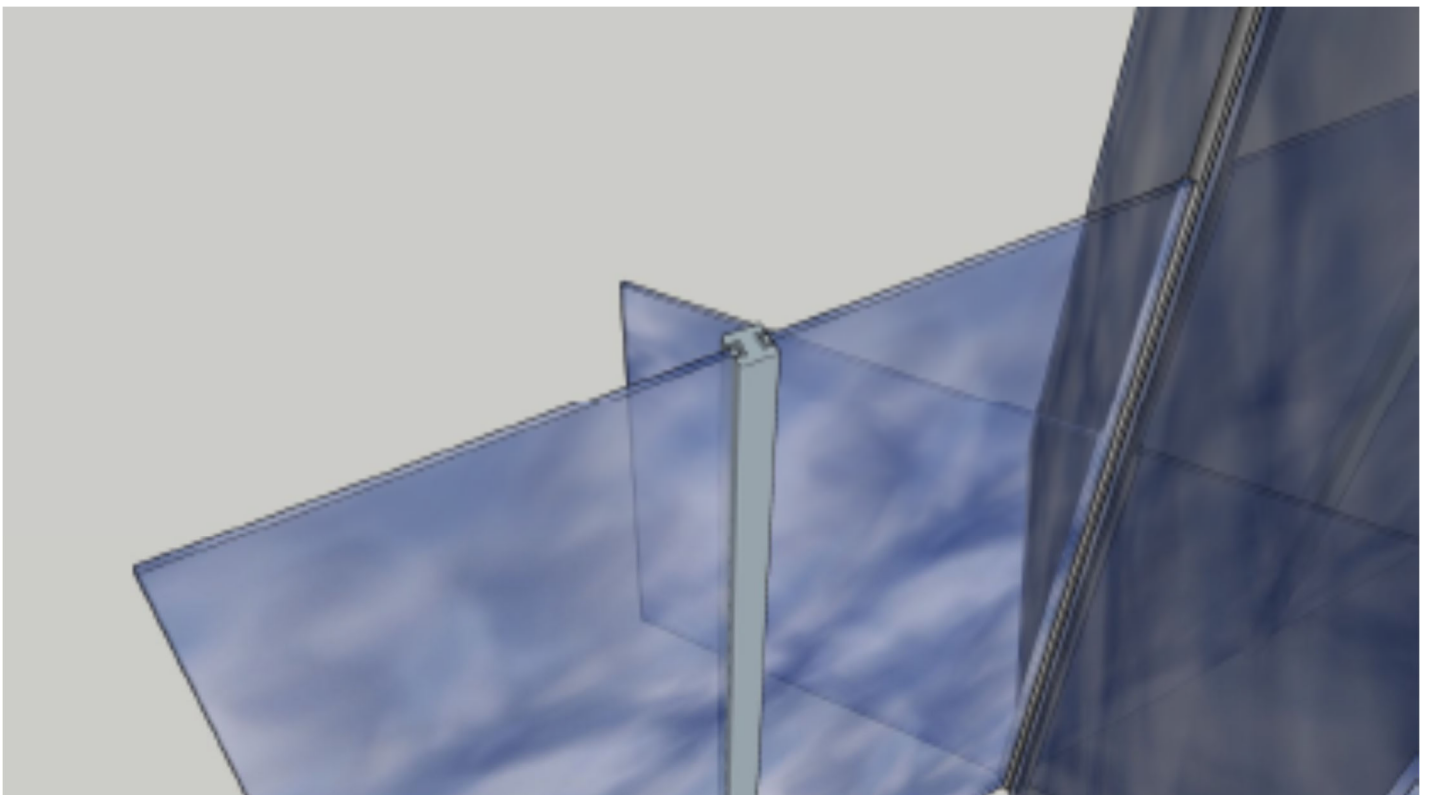
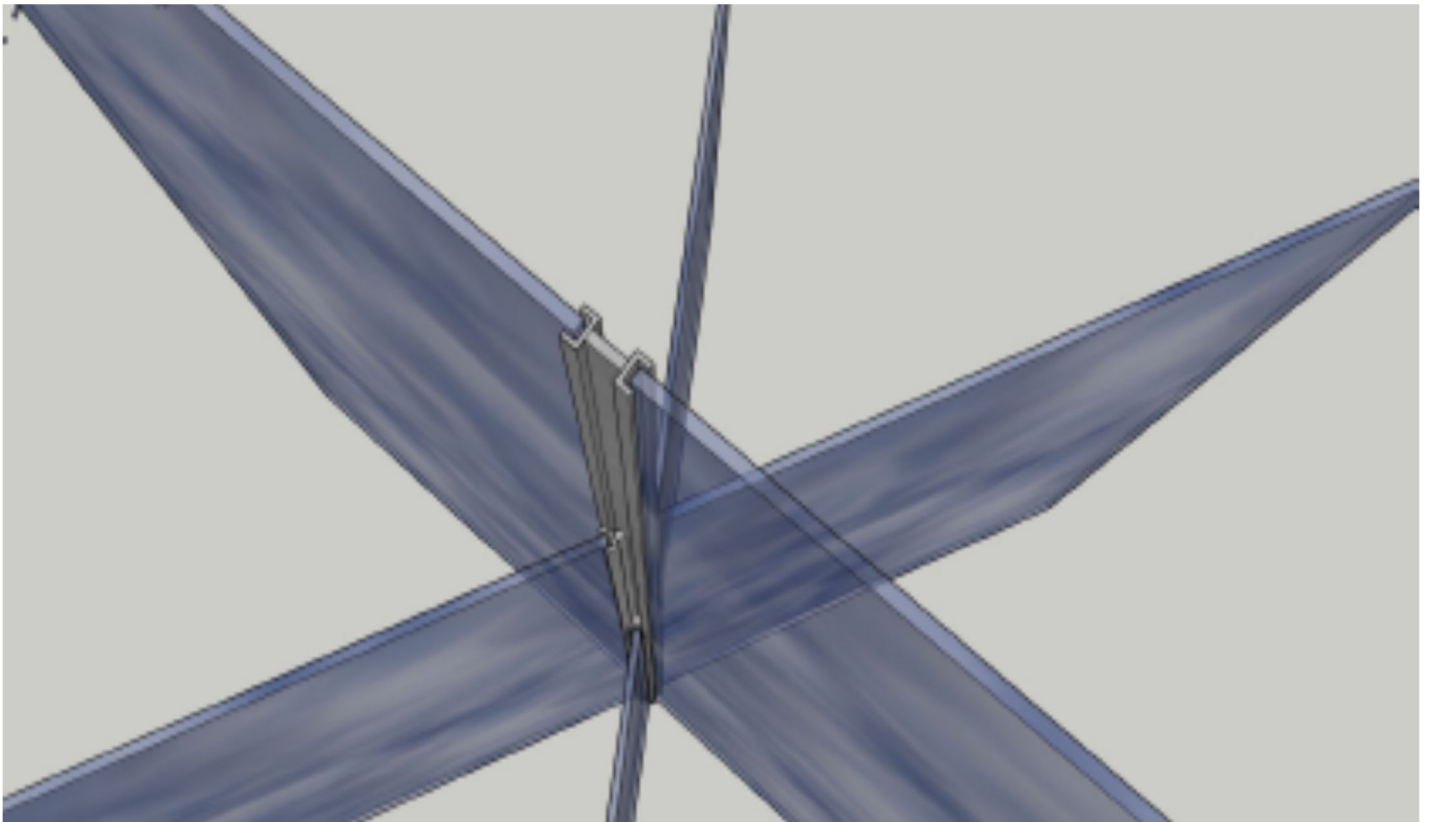


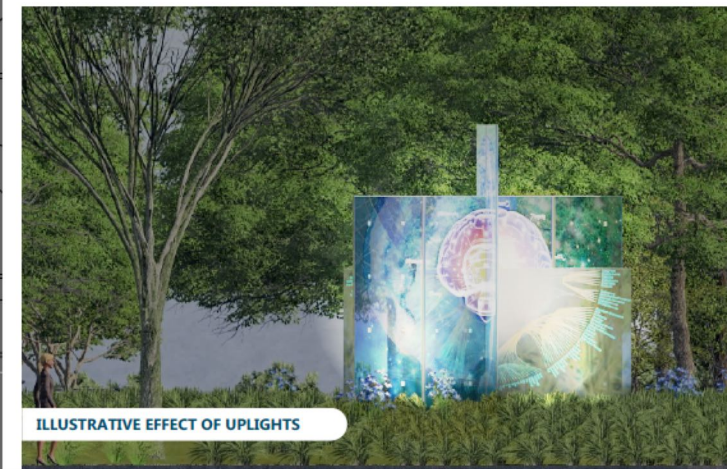
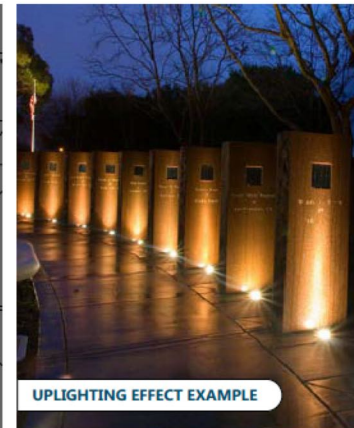
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PUBLIC ART  
SCULPTURE

COMMERCIAL  
STREET





**FORTINET  
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Lighting  
Design



# City of Sunnyvale

## Agenda Item

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**20-0567**

**Agenda Date:** 10/21/2020

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Discussion and Consideration of Potential Study Issue: Artist-in-Residence Program



Sunnyvale

## Study Issue Form

The Study Issues process is designed to assist City Council with setting priorities for the coming calendar year. Board and commission members have two roles in this process:

1. To advise Council regarding the identification of policy issues to study, within their relevant area of authority;
2. To advise Council on those issues Council has decided to study.

The study issues process should focus on considering a new or revised ordinance, new or expanded service delivery program, changes to existing Council Policy, or amendments to the General Plan. The Study Issues Form is designed to focus board and commissioner members' ideas on potential policy study issues, and provide the opportunity for staff feedback and guidance in a transparent process. *Board members or commissioners may only fill out a form for study issue ideas within their purview.*

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**Date Submitted to Staff** 09/21/2020  
**Liaison:**

**Board/ Commission:** Arts Commission

**Workplan Year:** 2021

**Submitted by:** Agnes Veith

**Study Issue Working** Artist-in-Residence Program  
**Title:**

1. What are the key elements of the issue? What precipitated this study?

Identify a bay area professional artist (fine or performing) or a local college student majoring in the arts to provide workshops to Sunnyvale residents. our artists will be chosen over the course of one year each providing three months of workshops. At the conclusion of the workshop, participants will have the opportunity to share their art with the community either on line or directly.

This study issue has been suggested to provide Sunnyvale residents with year-round exposure to and participation in the arts.

2. Staff Summary of Scope and/or Comments: [Staff Use Only]

Items to consider for this proposal: staff resources for a year-round program, funding to run the program, noting, eligible public art funds require each three month session to result additional in public art for the city. For this to result in a study issue, the proposal should contain a recommendation to revise the municipal code or ordinance.



# City of Sunnyvale

## Agenda Item

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**20-0897**

**Agenda Date:** 10/21/2020

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Discussion and Consideration of Potential Study Issue: Recycle, Reuse and Repurpose



Sunnyvale

## Study Issue Form

The Study Issues process is designed to assist City Council with setting priorities for the coming calendar year. Board and commission members have two roles in this process:

1. To advise Council regarding the identification of policy issues to study, within their relevant area of authority;
2. To advise Council on those issues Council has decided to study.

The study issues process should focus on considering a new or revised ordinance, new or expanded service delivery program, changes to existing Council Policy, or amendments to the General Plan. The Study Issues Form is designed to focus board and commissioner members' ideas on potential policy study issues, and provide the opportunity for staff feedback and guidance in a transparent process. *Board members or commissioners may only fill out a form for study issue ideas within their purview.*

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**Date Submitted to Staff Liaison:** 10/09/2020

**Board/ Commission:** Arts Commission

**Workplan Year:** 2021

**Submitted by:** Dawna Eskridge

**Study Issue Working Title:** Recycle, Reuse and Repurpose

1. What are the key elements of the issue? What precipitated this study?

Recommend developers solicit sculptural artists that are interested in using recycled materials. Recycled materials can be molded into larger pieces, as opposed to using metal or glass, and can be used as a part of a multi-media installation.

2. Staff Summary of Scope and/or Comments: [Staff Use Only]

The current ordinance is worded in a such a way to provide private developers flexibility when selecting their artist or electing for the in-lieu fee. There may be a limited number of artists that work with recycled materials.



# City of Sunnyvale

## Agenda Item

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**20-0911**

**Agenda Date:** 10/21/2020

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Arts Commission Proposed Study Issues, Calendar Year: 2021

Proposed Study Issues\*

Date	Working Title	Summary of Scope	Staff Comments

\*The study issues have been proposed for future sponsorship

Toward the end of the calendar year, no later than October, boards and commissions will review the list of proposed study issues and officially vote on sponsorship for each individually listed study issue. Official sponsorship means that the study issue is approved for ranking with a majority vote of the board or commission. Staff will then prepare the sponsored study issue papers, including fiscal impact **but not** the staff recommendation.