

softens the overall look of the proposed project.

The motion carried by the following vote:

**Yes:** 6 - Chair Howard  
Commissioner Harrison  
Commissioner Howe  
Commissioner Olevson  
Commissioner Rheaume  
Commissioner Weiss

**No:** 1 - Vice Chair Simons

Assistant Director Miner stated that this decision is final unless appealed or called up for review by the City Council within 15 days.

**1.B**      [20-1013](#)      Annual Review of the Code of Ethics and Conduct for Elected and Appointed Officials

Vice Chair Simons discussed in detail his opinion on issues with the 2020 Code of Ethics and Conduct for Elected and Appointed Officials such as staff conduct not being addressed; resident-made decisions causing conflicts with the Code; the Code's inability to prevent individuals or minority groups from Boards, Commissions, or City Council from influencing particular processes; and the Code not addressing how members can accomplish goals within the established processes. He gave specific, detailed examples of issues with the Code.

Commissioner Harrison asked how often the Code of Ethics is reviewed and about the most appropriate method for recommending the Code be updated. Senior Assistant City Attorney Rebecca Moon stated that the Code is updated on an as-needed basis and explained how the City Council can direct the Office of the City Manager to update it with input from the Office of the City Attorney, suggesting that any Commissioners' recommendations for updating it be stated during the public hearing.

Senior Assistant City Attorney Moon and Assistant Director Andrew Miner suggested Vice Chair Simons summarize his comments for City Council's consideration of any recommendations. Senior Assistant City Attorney Moon added that Vice Chair Simons can speak at the City Council meeting as a member of the public when the City Council considers adopting the 2020 Code. Vice Chair Simons stated that the Code should be reviewed for improvement and to better determine

the intent of it.

Chair Howard restated that Commissioners can make recommendations during the public hearing, at the Joint Meeting of City Council with Board and Commission Chairs and Vice Chairs and at the meeting when the City Council considers adopting the 2020 Code.

Commissioner Harrison discussed with Senior Assistant City Attorney Moon that the City Council must initiate the process to direct staff to update the Code and the Commissioners can make recommendations to the City Council with a motion.

MOTION: Vice Chair Simons moved and Commissioner Harrison seconded the motion to accept the 2020 Code of Ethics and Conduct for Elected and Appointed Officials and recommend to the City Council a formal review of the policy document, a process which would include involvement from members of different Boards and Commissions.

The motion carried by the following vote:

**Yes:** 7 - Chair Howard  
Vice Chair Simons  
Commissioner Harrison  
Commissioner Howe  
Commissioner Olevson  
Commissioner Rheaume  
Commissioner Weiss

**No:** 0

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

#### **NON-AGENDA ITEMS AND COMMENTS**

##### **-Commissioner Comments**

Chair Howard shared that he learned that as sea levels rise, the salt water will push the fresh water up to the surface along with pollutants, which has implications in the coming decades for north Sunnyvale.

##### **-Staff Comments**

Assistant Director Andrew Miner stated that on December 1, 2020 the City Council approved ordinance updates to allow wireless telecommunication facilities on