

A Note About my Rainbow Themed Yard Signs

These yard signs are intended to make it clear that I strongly support the LGBTQ+ residents of Cupertino. They are a direct result of what transpired at a recent City Council meeting, and on Nextdoor. On August 18th I received an e-mail from an online publication stating that another City Council candidate, or his supporters, had complained about my rainbow-themed yard signs.

I was attacked at the July 21st City Council meeting, and on Nextdoor, by a group of residents claiming that I opposed painting a Rainbow Crosswalk at an intersection in Cupertino. This was a totally false accusation. In fact, I had strongly supported this crosswalk. I'd been working with our City Manager and Public Works Director to move this idea forward. The proposal hadn't yet been put on the 2020 work plan, nor agenda'd, so other City Council Members were unaware of the work being done in preparation to bring this proposal to the full Council. The attacks continued at the August 18th City Council meeting, with more untrue statements by one speaker.

I understand that not all residents understand how new projects go through the long and tortuous City process from idea to completion. An online petition, promoting an idea, doesn't instantly translate into an approved project with City workers being dispatched with buckets of paint! It's much more complex than that and it can be frustrating to those that are not familiar with City Ordinances or California law.

Our Public Works director, as well as the office of Assembly Member Evan Low, whom I reached out to for help, both stated that such a crosswalk would violate the Manual for Uniform Traffic Control Devices (MUTCD). Evan Low's office, on August 3rd, 2020, sent an e-mail that quoted the Federal Highway Administration's position "No element of the aesthetic interior treatment can implement pictographs, symbols, multiple color arrangements, etc., or can otherwise attempt to communicate with any roadway user" (underlining mine)

[\[https://mutcd.fhwa.dot.gov/resources/interpretations/3_09_24.htm\]](https://mutcd.fhwa.dot.gov/resources/interpretations/3_09_24.htm).

We are still looking into ways to do the Rainbow Crosswalk, or find another symbol that equally expresses the City's policies of inclusion for all and of support for the LGBTQ+ community. I also requested that Assembly Member Low look into the possibility of introducing a bill that would explicitly permit the multiple color arrangements that are currently prohibited. I'm aware that some other cities, both in California and in other states, simply decided to ignore the MUTCD regulations, accept the liability in case of a lawsuit, and install Rainbow Crosswalks; there were speakers advocating that Cupertino also simply ignore the law. It's vital that the City get legal advice from qualified attorneys, and also have our insurance carrier give their assent, before proceeding; someone insisting that "other cities have done it even though it's illegal," is not sufficient! All this will be discussed when this project is put onto our City Work Plan and when it reaches the City Council.

One idea I had was the following (but not sure of the rules regarding medians):



Due to the unwarranted political attack, I felt it necessary to communicate my strong support for the LGBTQ+ community. I have an immediate family member that is part of that community, as does another City Council candidate, and we both feel strongly about this issue. I designed the yard signs as a way to demonstrate my support for the LGBTQ+ community.

As many are aware, I had been involved, prior to being elected to City Council, with a resident-advocacy group called "Better Cupertino." Better Cupertino and Cupertino for All have different goals. Better Cupertino advocates for affordable housing, inclusion, home ownership, and local control. Cupertino for All advocates for unsustainably large quantities of market-rate housing, the development community, and state

control. Cupertino for All also falsely claims (on their Facebook page) that “Cupertino mostly bans forms of housing that aren't single family homes” an demonstrably untrue statement since nearly all of the new housing projects we have approved in the past twenty years have been multi-family housing, either apartments, condominiums, townhomes, or row houses, including a project we approved on August 18th. 2020. Like most cities, Cupertino zones different areas of the City for different uses; allowing tall apartment buildings next to 1-2 story homes, would not be appropriate, even though it would greatly increase the value of the single story homes.

My campaign's slogan “A Better Cupertino for All” is an attempt to bring together the two disparate groups of residents. At the August 18th City Council meeting I was attacked once again, with more false statements. I believe that this kind of negative campaigning has no place in Cupertino. We need to keep our campaigns civil and respectful. Cupertino faces many important issues but the sexual orientation of a candidate should not be one of those issues. All candidates should be encouraged to support inclusion and diversity.

I printed these signs to show support for the LGBTQ+ community. The response has been incredibly positive with high-demand for these signs among residents regardless of sexual orientation.



Let's Build a Better Cupertino for All! Steven Scharf for Cupertino City Council 2020 FPPC ID #1388099