

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2022

A RESOLUTION OF INTENT OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
TO ESTABLISH PEDESTRIAN MALLS ON CASTRO STREET BETWEEN
WEST EVELYN AVENUE (EAST LEG) AND VILLA STREET , VILLA STREET AND DANA STREET,
AND DANA STREET AND CALIFORNIA STREET

WHEREAS, the City of Mountain View temporarily closed the 100, 200, and 300 blocks of Castro Street to facilitate outdoor dining and pedestrian zones, enacting the “Castro StrEATs” program; and

WHEREAS, the Castro StrEATs program has been successful, and a majority of the surveyed users and participating businesses support continuation of the street closure to enhance downtown vitality; and

WHEREAS, the City wishes to retain these pedestrian zones beyond the end of the COVID-19 pandemic; and

WHEREAS, the City declares its intention to establish pedestrian malls on three segments of Castro Street, between West Evelyn Avenue (east leg) and California Street, while still maintaining through east-west traffic on Evelyn Avenue, Villa Street, Dana Street, and California Street; and

WHEREAS, the 1960 Pedestrian Mall Law (Streets and Highways Code Section 11000, *et seq.*) authorizes municipalities to close streets to vehicular traffic and to establish pedestrian malls; and

WHEREAS, the City wishes to prohibit vehicular traffic on the proposed pedestrian malls except for emergency and utility maintenance vehicles, which shall be allowed access at all hours; and

WHEREAS, the City will make improvements that support the success of the proposed pedestrian malls that include, but are not limited to, bollards, planters, or other traffic-control devices, which will be financed by the City; and

WHEREAS, the City does not intend to form an assessment district at this time to pay for the proposed improvements but may consider the formation of such an assessment district in the future to pay for additional improvements that may be contemplated at a later date; and

WHEREAS, the City will hold a duly noticed public hearing on October 11, 2022, at 6:30 p.m., or as soon thereafter as the matter can be heard, to hear protests and objections to the establishment of the proposed pedestrian mall and to review any claims of damages from those having any legal or equitable interest in any real property which might suffer legal damage by reason of establishment of the proposed pedestrian malls;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that:

1. Pursuant to the Pedestrian Mall Act of 1960 (California Streets and Highways Code Section 11000, *et seq.*), the City Council declares its intention to establish pedestrian malls on Castro Street between West Evelyn Avenue (east leg) and Villa Street, Villa Street and Dana Street, Dana Street and California Street (Exhibit A). Vehicular through-traffic access at the intersecting streets and mall intersections located at Evelyn Avenue, Villa Street, Dana Street, and California Street shall remain open (Exhibit A).

2. The City Council determines that the public interest and convenience require the establishment of pedestrian malls and that vehicular traffic will not be unduly inconvenienced.

3. The City intends to adopt an ordinance prohibiting vehicular traffic on the proposed pedestrian malls, with the exception of vehicular through-traffic access at the mall intersections, and except for emergency and utility maintenance vehicles, which shall be allowed access at all hours.

4. The City intends to make improvements to the proposed pedestrian malls that include, but are not limited to, bollards, planters, or other traffic-control devices and will be responsible for financing those improvements.

5. The City's General Fund will be the source of funds for damages, if any, allowed or awarded to any property owner by reason of the establishment of the pedestrian mall.

6. The City will hold a public hearing on October 11, 2022, at 6:30 p.m., or as soon thereafter as the matter can be heard, in the Council Chambers, located at 500 Castro Street, Mountain View, California, 94041, and via a remote public meeting by video conference, the details of which will be published on the October 11, 2022 agenda posted no later than Friday, October 7, 2022, at mountainview.legistar.com, where the City Council will hear protests and objections to the establishment of the proposed pedestrian mall. Any and all persons having any objections to the establishment of the proposed pedestrian malls may file a written protest with the City Clerk of the City of Mountain View at any time not later than 6:30 p.m., or as soon thereafter as the matter can be heard, on October 11, 2022.

7. Notice is hereby given that any person owning or having any legal or equitable interest in any real property which might suffer legal damage by reason of the establishment of the proposed pedestrian malls may file a written claim for damages with the City Clerk at any time not later than 6:30 p.m., or as soon thereafter as the matter can be heard, on October 11, 2022.

Such a claim must describe the real property as to which the claim is made, must state the exact nature of the claimant's interest therein, must state the nature of the claimed damage thereto, and must state the amount of the damages claimed. Failure to file such a written claim within the time provided shall be deemed a waiver of any claim for damages or compensation and shall operate as a bar to any subsequent action seeking to prevent establishment of the proposed pedestrian mall or to recover damages on account of such establishment. Furthermore, the filing of such a claim shall operate as a bar in any subsequent action to the recovery of any damages or compensation in excess of the amount stated in such claim.

AB-TC/EP/6/RESO
903-06-14-22r

Exhibit: A. Castro Street Pedestrian Mall Extents



 Pedestrian Mall