



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 09/19/06

AGENDA ITEM 2

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Approval of Resolution Authorizing Amendment No. 2 to the 1986 Alameda County Transportation Expenditure Plan (Route 84/Route 238)

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached Resolution approving Amendment No. 2 to the 1986 Alameda County Transportation Expenditure Plan.

**DISCUSSION:**

In 1986, Alameda County voters authorized a half-cent transportation sales tax to finance improvements to the County's overburdened transportation infrastructure; this tax expired in 2002. A detailed Expenditure Plan guides the use of those funds. The 1986 Expenditure Plan authorized the expenditure of local transportation funds to extend BART to Dublin/Pleasanton, widen I-880, maintain and expand bus service throughout the county, and improve the I-580/I-680 interchange in Dublin and Pleasanton, among other projects. Most of the ten major projects authorized by the 1986 Expenditure Plan have been completed or are under construction, and those that are still in the design and environmental review stage are scheduled to begin construction in the next few years.

Projects of specific local importance included the Route 238 Hayward Bypass, a widening of Mission Boulevard between Industrial Parkway and Fremont, and an "historic parkway" alignment for a new Route 84 in Fremont and Union City. These three projects were included in the Expenditure Plan as one integrated project.

Last September, Council approved amending the 1986 Expenditure Plan to remove the Route 238 Hayward Bypass and to add the Route 238 Corridor Improvement Project and several other projects. The requested Amendment No. 2 would make further changes to the 1986 Expenditure Plan.

Expenditure Plan Amendment

As Council is aware, the widening of Mission Boulevard has proceeded as three separate spot widening projects in Hayward (Industrial Parkway), Union City (Whipple Avenue and Decoto Road), and in Fremont (Niles Canyon Road and Mowry Avenue). Each of these projects has been completed. Thus, the Expenditure Plan needs to be amended to reflect the actual implementation of these projects.

As was the case with the Hayward Bypass Project, the Route 84 Historic Parkway Project has a long history since first being identified as a need in 1958. Environmental work proceeded but was never certified by the Federal Highway Administration due to local controversy and the lack of an agreement between the cities of Union City and Fremont regarding an alignment for the new Route 84.

Since 2002, the Alameda County Transportation Authority (ACTA) has worked with the cities of Union City and Fremont, as well as Caltrans, to establish a consensus on an alternative set of improvements to act as an east-west connection between I-880 and Route 238 to replace the Historic Parkway. In May of 2006, the Alameda County Transportation Authority Board voted to approve and include the alternative set of improvements in the 1986 Measure B Expenditure Plan, replacing the Route 84 Historic Parkway Project.

The proposed replacement for the Route 84 Historic Parkway Project is the I-880 to Route 238 East-West Connector Project (also referred to as Option 2), which includes the following major features:

- A combination of new roadways along preserved rights of way and improvements to existing roadways and intersections along Decoto Road, Fremont Boulevard, Paseo Padre Parkway, Alvarado-Niles Road, and Route 238 (Mission Boulevard);
- New roadways designed in accordance with local roadway standards of the corresponding municipality;
- Widening along existing roadways consistent with the corresponding municipality's adopted plans;
- A minimum of two through-lanes in each direction on new roadways; and
- Mitigation for impacts identified and approved in the environmental studies phase.

Since Option 2 varies significantly from the project included in the 1986 Expenditure Plan, the Authority will need to amend the 1986 Expenditure Plan to reflect the replacement of the Historic Parkway with Option 2.

If approved, Amendment No. 2 would make the following changes to the 1986 Expenditure Plan, as amended in 2005:

1. Delete the Route 238 and Route 84 Project as amended by Amendment No. 1 to the 1986 Expenditure Plan from the Expenditure Plan;
2. Add the Route 238 (Mission Boulevard) Improvements Project – Hayward Segment to the Expenditure Plan;
3. Add the Route 238 (Mission Boulevard) Improvements Project – Union City Segment to the Expenditure Plan;
4. Add the Route 238 (Mission Boulevard) Improvements Project – Fremont Segment to the Expenditure Plan; and
5. Add the I-880 to Route 238 East-West Connector Project to the Expenditure Plan.

Expenditure Plan Amendment Process and Proposed Time Frame

The ACTA Board held the Public Hearing on the proposed Amendment No. 2 to the Expenditure Plan at its Board Meeting on June 22, 2006, and adopted the final amendment language at the Board Meeting immediately following the Public Hearing.

In order for Amendment No. 2 to be adopted, it must be approved by the Alameda County Board of Supervisors and by a majority of the cities representing a majority of the incorporated population. As of this writing, Amendment No. 2 has been approved by the Board of Supervisors and by all of the other cities, except for Oakland, Berkeley, and Alameda.

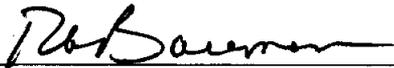
Amendment No. 2 to the Expenditure Plan is expected to be approved by the Metropolitan Transportation Commission (MTC) in September 2006. Approval of the proposed amendment is contingent upon the approval of the Expenditure Plan Amendment by the MTC without any substantive changes.

Prepared by:



Morad Fakhrai, Deputy Director of Public Works

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Jesús Armas, City Manager

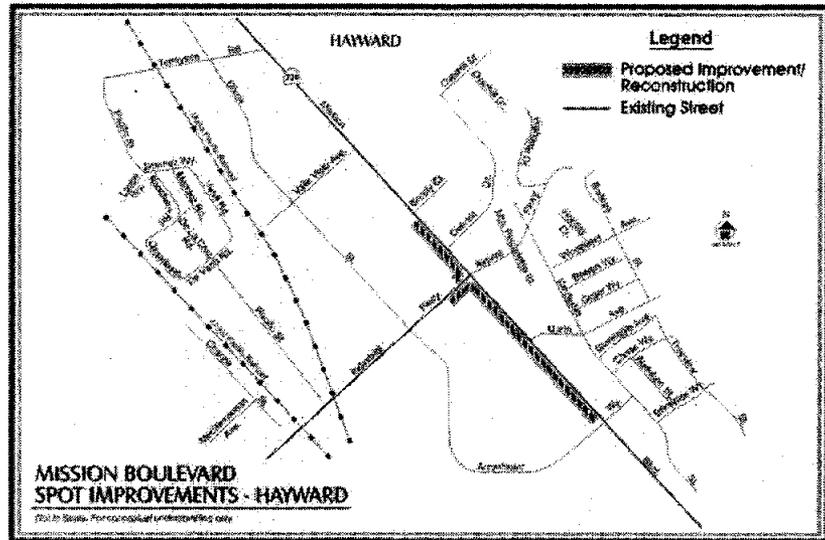
Exhibits: Exhibit A: Expenditure Plan Amendment No. 2



2. Add the Route 238 (Mission Boulevard) Improvements Project – Hayward Segment as follows:

**Project:** Route 238 (Mission Boulevard) Improvements Project – Hayward Segment  
**Cost:** \$ 6.7 million ACTA Measure B Sales tax contribution: \$6.4 million  
**Sponsor:** Alameda County Transportation Authority and the City of Hayward

**Description:**

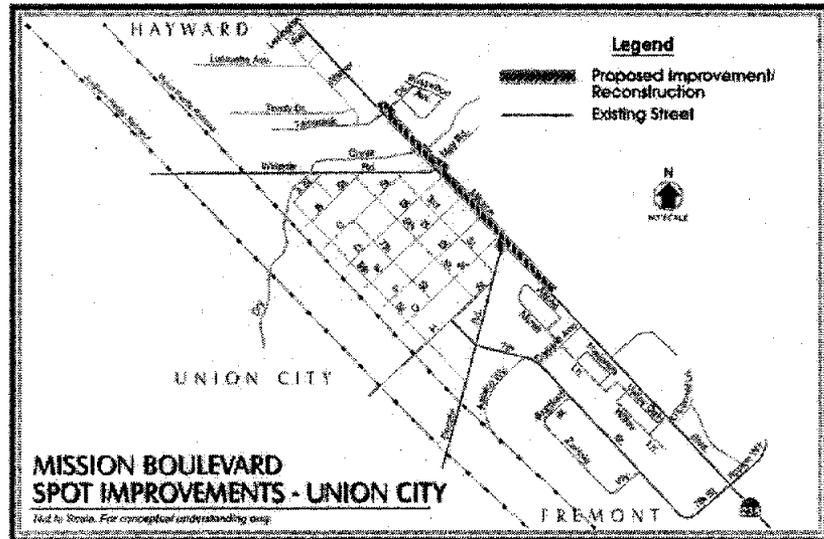


*The Hayward Segment of the Route 238 (Mission Boulevard) Improvements includes widening Route 238 (Mission Boulevard) and Industrial Parkway along the approaches to the intersection between the two roads and other intersection improvements.*

3. Add the Route 238 (Mission Boulevard) Improvements Project – Union City Segment as follows:

**Project:** Route 238 (Mission Boulevard) Improvements Project – Union City Segment  
**Cost:** \$8.5 million ACTA Measure B Sales tax contribution: \$7.0 million  
**Sponsor:** Alameda County Transportation Authority and the City of Union City

**Description:**

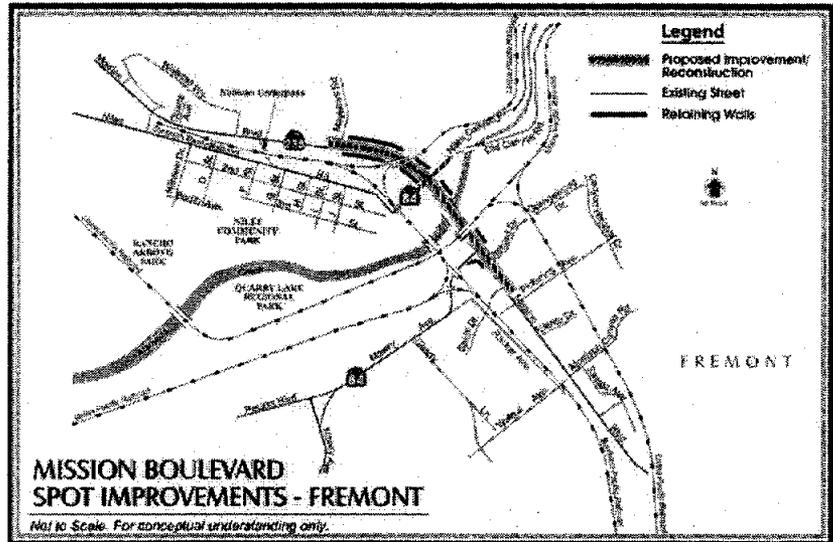


*The Union City Segment of the Route 238 (Mission Boulevard) Improvements includes widening Route 238 (Mission Boulevard) from north of Whipple Road to south of Decoto Road and improving the intersections at Mission Boulevard/Whipple Road and Mission Boulevard/Decoto Road.*

4. Add the Route 238 (Mission Boulevard) Improvements Project – Fremont Segment as follows:

**Project:** Route 238 (Mission Boulevard) Improvements Project – Fremont Segment  
**Cost:** \$47.0 million ACTA Measure B Sales tax contribution: \$45.0 million  
**Sponsor:** Alameda County Transportation Authority and the City of Fremont

**Description:**

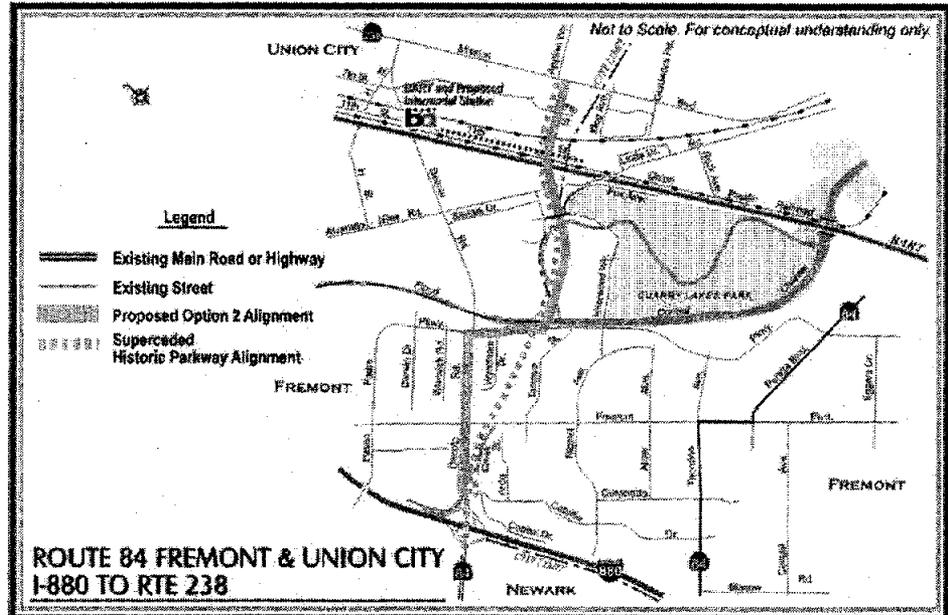


The Fremont Segment of the Route 238 (Mission Boulevard) Improvements includes widening Route 238 (Mission Boulevard) from north of Henderson Court to south of Orchard Drive, replacing two railroad crossings and the crossing over Alameda Creek, and replacing a drainage pump station. The project also includes intersection improvements at Mission Boulevard and Route 84 (i.e. Niles Canyon Road to the east and Mowry Avenue to the west) and Orchard Drive.

5. Add the Option 2 East-West Connector Project as follows:

**Project:** I-880 to Route 238 East-West Connector  
**Cost:** \$107.0 million ACTA Measure B Sales tax contribution: \$88.0 million  
**Sponsor:** Alameda County Transportation Authority, Union City and Fremont

**Description:**



Construct an improved east-west connection between I-880 and Route 238 (Mission) comprised of a combination of new roadways along preserved rights of way and improvements to existing roadways and intersections along Decoto Road, Fremont Boulevard, Paseo Padre Parkway, Alvarado-Niles Road and Route 238 (Mission Boulevard).

6. **Modify Implementing Guidelines** (as adopted pursuant to Amendment No. 1) to provide the following:
- a. The goal of the Amendments to the Expenditure Plan is to complete the projects described in ~~the~~ each Amendment in a timely manner. All added projects will be given five years from the date of the final approval of ~~this~~ the applicable Expenditure Plan Amendment to obtain environmental clearance, approval from all agencies having jurisdiction over the proposed improvements, support from the community, and full commitment of funds from all sources required to develop and construct the project. Projects that cannot meet this requirement may appeal to the Authority for extension(s) of one year duration.
  - b. Should ~~an added~~ a project added by an Amendment become infeasible or unfundable in whole or part, due to circumstances unforeseen at the time of the Amendment, funding may be applied to other projects in the ~~original~~ Expenditure Plan by the Authority.
  - c. Should one or any combination of the projects added by an Amendment be implemented in a manner that fulfills the purpose of the project and requires less than the amount of Measure B funding identified in the Amendment, any remaining Measure B funds may be applied to other projects in the Expenditure Plan by the Authority.
  - e d. Under no circumstance may Measure B funds in ~~the~~ an Amendment be applied to any purpose other than direct transportation improvements in Alameda County. The funds may not be used for any projects or studies other than those specified in the ~~Amendment and the original~~ Expenditure Plan (as amended), without an additional specific amendment to the Expenditure Plan.
  - d e. Project costs in excess of the amount of Measure B funding identified in ~~the~~ an Amendment will be the responsibility of the Project Sponsor. Measure B funding for the added projects are capped at the amounts identified in the Amendment, unless authorized by the Authority Board and subject to future annual Strategic Plan Updates.

**DRAFT**

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY OF HAYWARD'S APPROVAL OF AMENDMENT NO. 2 TO THE ALAMEDA COUNTY TRANSPORTATION EXPENDITURE PLAN, DATED AUGUST 1986**

WHEREAS, in 1986, the voters of Alameda County approved Measure B, a half-cent sales tax to pay for transportation projects as described in the Alameda County Transportation Expenditure Plan August 1986 (Expenditure Plan), and to be administered by the Alameda County Transportation Authority (ACTA); and

WHEREAS, the Measure B projects and programs in the Expenditure Plan in North County and East County have been delivered and ACTA is currently working towards completing the delivery of the remaining projects in Central and South County; and

WHEREAS, the Route 238 and Route 84 project, sponsored by the California Department of Transportation (Caltrans), was one of the ten capital projects in the Expenditure Plan; and

WHEREAS, Amendment No. 1 to the Expenditure Plan, approved in 2005, deleted the Route 238 Hayward Bypass portion of the Route 238 and Route 84 project specified in the Expenditure Plan; and

WHEREAS, Caltrans and ACTA delivered the Route 238 (Mission Boulevard) Improvements in three segments, one each in Hayward, Union City and Fremont, as part of the Route 238 and Route 84 project specified in the Expenditure Plan; and

WHEREAS, Caltrans and ACTA developed the Route 84 Realignment Project in Fremont and Union City as a limited access expressway along a previously adopted alignment referred to as the "Historic Parkway" as part of the Route 238 and Route 84 project specified in the Expenditure Plan; and

WHEREAS, Caltrans approved a Final Environmental Impact Report/Statement (Final EIR/S) for the Historic Parkway in 2002 which the Federal Highway Administration (FHWA) declined to approve due to continuing local opposition to the project; and

WHEREAS, the ACTA Board approved a Memorandum of Understanding (MOU) between ACTA, Caltrans, Union City and Fremont on May 25, 2006, subsequent to the approval of the MOU by Union City and Fremont, which establishes agreement on a process to

move forward with a replacement project for the Historic Parkway; and

WHEREAS, the ACTA Board approved the concept of the proposed Amendment No. 2 to the Expenditure Plan on May 225, 2006, and the specific language of Amendment No. 2 to the Expenditure Plan on June 22, 2006 which allows for the replacement of the Historic Parkway with the I-880 to Route 238 (Mission Boulevard) East-West Connector Project; and

WHEREAS, Amendment No. 2 to the Expenditure Plan was transmitted to the Metropolitan Transportation Commission (MTC) for review and approval and MTC action is expected to occur in September 2006.

NOW, THEREFORE, BE IT RESOLVED, that the City of Hayward hereby approves Amendment No. 2 to the Expenditure Plan as defined in the September 19, 2006 agenda report. This approval is contingent upon MTC approval of the Amendment substantially in the form in the agenda report and will be effective immediately after MTC approval.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward