



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/24/07
AGENDA ITEM 4
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: Local Alternative Transportation Improvement Program (LATIP)

RECOMMENDATION:

That the City Council adopt the attached resolution approving the Financially Unconstrained Local Alternative Transportation Improvement Program (LATIP) Project list, as shown in Exhibit A.

BACKGROUND:

Senate Bill 509 was signed into law in September 2004 and amended by Assembly Bill 1462 in October 2005. These two bills provide for the use of revenues from the sale of excess property on State Highway 238 to fund a Local Alternative Transportation Improvement Program (LATIP) subject to approval by the California Transportation Commission (CTC).

In fall 2005, the ACTA Board and Hayward City Council adopted Amendment No. 1 to the 1986 Expenditure Plan for the Replacement Project of the Route 238 Hayward Bypass, which deleted the Route 238 Bypass from the Measure and funded four projects, two of which are the Route 238 Corridor Improvement Project at \$80 million and the Central County Freeway Study at \$5 million. The other two projects are the completion of the Redwood Road/I-580 Interchange and the Castro Valley Local Traffic Circulation Improvements.

The purpose of the Central County Freeway Study is to develop a prioritized list of state highway projects in the same corridors (I-238, I-880, and I-580) that would have benefited from the Hayward Bypass and that can be constructed in the next 5-to-10 years. This prioritized list will form the Local Area Transportation Improvement Program (LATIP), which needs local support and approval by California Transportation Commission at two junctures: the Financially Unconstrained LATIP (November 2007) and the prioritized final LATIP (March 2008).

Discussion

The Central County Freeway Study Policy Advisory Committee, chaired by Mayor Sweeney and consisting of the representatives from the City San Leandro, Alameda County, and Caltrans has been working on developing the Financially Unconstrained LATIP and the prioritized LATIP. To date, they have reviewed and identified projects for consideration in the Financially Unconstrained LATIP that will be used to define the final prioritized LATIP.

Caltrans has begun the process of rescinding the Route 238 Hayward Bypass, which will allow the excess right-of-way to be sold. The LATIP needs to be approved by the California Transportation Commission by the time Caltrans begins selling the excess right-of-way purchased for the Route 238 Hayward Bypass, or the funds will revert to the State Highway Account and will not be exclusively available for projects in Alameda County. The sale of the excess right-of-way is estimated to be worth between \$250 to \$350 million. As Council is aware, the City is currently conducting the Route 238 Land Use Study, which will look at land use options for determining the best use of the excess right-of-way.

In order for the Financially Unconstrained LATIP and prioritized LATIP to be approved by the California Transportation Commission, local area support must be demonstrated. The CMA and ACTA Boards are scheduled to take action in September. If approved, the Financially Unconstrained LATIP will be submitted to the California Transportation Commission at its November 2007 meeting.

In the meantime, staff is collaborating with other agencies in developing the prioritized final LATIP by October 2007. This information will be brought back to the Policy Advisory Committee, the Cities of Hayward and San Leandro, and Alameda County in November and December 2007. It will then go to the CMA and ACTA Boards in January 2008. If approved, it will be submitted to the California Transportation Commission for adoption at its March 2008 meeting. This is the same meeting where the Commission will rescind the Route 238 Hayward Bypass, which will allow the excess right-of-way to be sold.

One issue for Hayward is to ensure that the Route 238 Corridor Improvement Project is fully funded, since it is, in effect, a partial replacement for the Route 238 Bypass. However, one caveat relative to the availability of funds through the LATIP is that SB 509 was subsequently amended to restrict the LATIP funds for use on state highways only. Since the City needs Caltrans to relinquish Route 238 in order to construct the Corridor Improvement Project, without a legislative change, the LATIP cannot be a direct source of the funding shortfall for our project. Staff is working with the various agencies - CMA and ACTA/ACTIA - as well as our legislative representatives to ensure that our project is fully funded.

The LATIP legislation indicates the LATIP is to be submitted by the City or County in which the original Route 238 Freeway was located, acting jointly with the Congestion Management Agency. The intent of all parties is to submit a program that has broad local area support to include the cities of San Leandro and Hayward, Alameda County, the CMA, and ACTA.

Schedule

- Continue to seek approval of the Financially Unconstrained LATIP from the Central County Freeway Study Policy Advisory Committee, the San Leandro City Council, and the Alameda County Board of Supervisors in July 2007 and from the Alameda County Congestion Management Agency (CMA) and Alameda County Transportation Authority (ACTA) Boards of Directors in September 2007.
- Submit the Financially Unconstrained LATIP to the California Transportation Commission in October 2007.

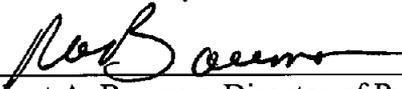
- Continue work on the Central County Freeway Study to develop a final prioritized LATIP list for local (City of San Leandro, City of Hayward, Alameda County Board of Supervisors) and Policy Advisory Committee approval in November and December 2007 and CMA and ACTA Boards approval in January 2008.
- Submit final prioritized LATIP to the California Transportation Commission in January 2008.

Prepared by:



Morad Fakhrai, Deputy Director of Public Works

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Fran David, Acting City Manager

Attachments: Exhibit A: Financially Unconstrained LATIP

**DUE TO THE LENGTH OR COLOR
OF THE REFERENCED EXHIBIT,
IT HAS BEEN ATTACHED AS A
SEPARATE LINK.**

DRAFT

OH
7/19/07

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member

**RESOLUTION APPROVING THE FINANCIALLY
UNCONSTRAINED LOCAL ALTERNATIVE
TRANSPORTATION IMPROVEMENT PROGRAM (LATIP)**

WHEREAS, Senate Bill 509 was signed into law in September 2004 and amended by Assembly Bill 1462 which was signed into law in October 2005, both of which provide for the use of revenues from the sale of excess property on State Highway 238 to fund a Local Alternative Transportation Improvement Program (LATIP) subject to approval by the California Transportation Commission; and

WHEREAS, in 2005 the Alameda County Transportation Authority and the City of Hayward adopted Amendment No. 1 to the Alameda County Transportation Expenditure Plan dated August 1986 to delete the Route 238 Hayward Bypass from the Expenditure Plan and to fund four projects one of which is the Central Alameda County Freeway System Operational Analysis (Central County Freeway Study); and

WHEREAS, the Central Alameda County Freeway Study will result in a prioritized list of state highway projects that will provide congestion relief in the same corridors (I-880, I-238, and I-580) that would have benefited from the Route 238 Hayward Bypass; and

WHEREAS, this prioritized project list will form the Local Alternative Transportation Improvement Program (LATIP); and

WHEREAS, the Policy Advisory Committee representing the cities of Hayward and San Leandro, Alameda County, and Caltrans in the Central County Freeway Study area have reviewed and identified projects for consideration in the Financially Unconstrained LATIP which will be used to define the final prioritized LATIP; and

WHEREAS, Caltrans has begun the process of rescinding the Route 238 Hayward Bypass which will allow the excess right-of-way to be sold; and

WHEREAS, the final prioritized LATIP must be approved by the California Transportation Commission by the time the excess right-of-way is sold or the funds from the sale of the right-of-way will revert to the State Highway Account and will not be exclusively available for projects in Central Alameda County; and

WHEREAS, in order for the LATIP to be approved by California Transportation Commission, local area support for the LATIP must be demonstrated by the cities of Hayward and San Leandro, Alameda County, the Alameda County Congestion Management Agency and Alameda County Transportation Authority, and

