



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

AGENDA DATE 07/17/07

AGENDA ITEM \_\_\_\_\_

WORK SESSION ITEM WS #3

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Local Alternative Transportation Improvement Program (LATIP)

**RECOMMENDATION:**

That the City Council review and comment on this report.

**BACKGROUND:**

Senate Bill 509 (Figueroa) was signed into law in September 2004 and amended by Assembly Bill 1462 (Torrico), which was signed into law in October 2005. These two bills provide that revenues from the sale of excess property no longer needed for the Route 238 Bypass be allocated to fund a Local Alternative Transportation Improvement Program (LATIP) subject to approval by the California Transportation Commission (CTC).

In fall 2005, Amendment No. 1 to the 1986 Measure B Expenditure Plan (the original funding source for Stage I of the Route 238 Hayward Bypass) was adopted by the Alameda County Transportation Authority (ACTA) designating the Route 238 Corridor Improvement Project as the replacement project for the Route 238 Hayward Bypass. The Bypass was deleted from the Expenditure Plan and was replaced by 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, which is being coordinated by the Alameda County Congestion Management Agency, is to develop a prioritized list of State highway projects in the same corridors (I-238, I-880, and I-580) that could have benefited from the Route 238 Hayward Bypass and that can be constructed in the next 5 to 10 years. This prioritized list will form the LATIP, which needs local support and approval by CTC. Development of the LATIP occurs in two versions: (1) the Financially Unconstrained LATIP, which is a list of eligible projects compiled without the constraint of considering available funds; and (2) the Prioritized LATIP, which lists projects from the Financially Unconstrained LATIP in priority order based on available funding. The Financially Unconstrained LATIP needs to be submitted to the CTC in October 2007; and the Prioritized LATIP must be submitted to the CTC in January 2008 for approval in March 2008.

The Policy Advisory Committee (PAC) for the Central County Freeway Study, chaired by Mayor Sweeney and consisting of the representatives from the City of San Leandro, Alameda County, and Caltrans, has been providing policy guidance on the process to develop the Financially Unconstrained LATIP and the Prioritized LATIP. Wednesday, July 18<sup>th</sup>, the PAC will be asked to review and provide its approval of staff's recommended projects for

consideration in the Financially Unconstrained LATIP, which will be used to define the Prioritized LATIP.

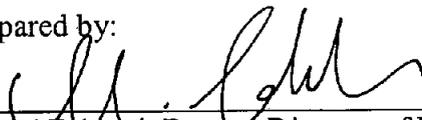
Caltrans has begun the process of rescinding the Route 238 Hayward Bypass, which will allow the excess right-of-way to be sold. The CTC needs to approve the LATIP by the time Caltrans begins selling the excess right-of-way purchased for the Route 238 Hayward Bypass, or the funds will revert to the State Highway Account and will not be exclusively available for projects in Central Alameda County. The sale of the excess right-of-way is estimated to be worth between \$250 and \$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.

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 can not 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.

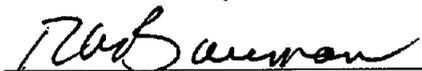
The LATIP legislation indicates the LATIP is to be submitted by the City or County in which the original Route 238 Freeway was located, acting jointly with the Congestion Management Agency. The intent of all parties is to submit a program that has broad local area support to include the cities of San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

Exhibit A is the Financially Unconstrained LATIP that will be reviewed by and acted upon by the PAC at its meeting tomorrow. Following PAC action, PAC representatives will be asking their respective jurisdictions to formally approve the Financially Unconstrained LATIP. Council will be asked to take action to approve of the Financially Unconstrained LATIP at its regular meeting of July 24, 2007.

Prepared by:

  
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Morad Fakhrai, Deputy Director of Public Works

Recommended by:

  
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Robert A. Bauman, Director of Public Works

Approved by:

  
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Fran David, Acting City Manager

Attachments: Exhibit A: Financially Unconstrained LATIP

**DUE TO THE COLOR OF THE  
REFERENCED ATTACHMENT, IT  
HAS BEEN ATTACHED AS A  
SEPARATE LINK**