Expenditure Plan Amendment (Amendment No. 1)
to Replace the Route 238 Bypass Project
with the Hayward Route 238/Mission-Foothill-Jackson Corridor Improvement Project

INTRODUCTION AND BACKGROUND

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, open 22 miles of carpool lanes on I-880, and maintain and expand bus service throughout the county. In addition, the 1986 Plan funds special transportation services for seniors and people with disabilities. The Plan also provided congestion relief throughout Alameda County by adding lanes to I-880 overpasses, improving the I-580/I-680 interchange in Dublin and Pleasanton which included widening sections of I-580, reconstructing the Route 13/Highway 24 interchange, extending Route 84 in Livermore to remove highway traffic from the downtown area, improving access to the Oakland International Airport, and upgrading surface streets and arterial roadways. Most of the 10 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.

Specifically, the 1986 Expenditure Plan included Measure B funds for the construction of a 5.3-mile segment of Route 238 on a new expressway alignment to bypass downtown Hayward, between Industrial Parkway and I-580 in Hayward. This project was commonly referred to as the Route 238 Hayward Bypass Project. In the Expenditure Plan, Caltrans was named as the project sponsor. The Bypass Project has been embroiled in controversies since Caltrans commenced the project design in the mid-1960's. By the early 1970's, Caltrans had acquired two-thirds of the needed right of way for the project, which triggered a lawsuit by the Sierra Club and the Legal Aid Society of Alameda County representing La Raza Unida of Southern Alameda County. The suit resulted in an injunction, which is still in effect. However, the Court established a mechanism for the removal of the injunction through a Consent Decree that was approved in 1990.

Through the three decades between the 1970's and 1990's, the development of the Bypass Project was also impeded by a series of changes in the environmental statutes and regulations, as well as regional and local transportation plan updates. In 1997, a second lawsuit was filed against the project by the Hayward Area Planning Association (HAPA) and the Citizens for Alternative Transportation Solutions (CATS). This suit resulted, in 2002, in the final ruling that Measure B funds could not be used in the delivery of the Hayward Bypass Project, effectively depleting the only major funding source for the project.

Between 2002 and to date, ACTA and the City of Hayward have been working on the development of an alternative project to the Hayward Bypass Project that could meet the purpose of the original project, and one that could be eligible for Measure B funding. In April of 2005, the ACTA Board voted to approve and include the City of Hayward's proposed Route 238/

Mission-Foothill-Jackson Corridor Improvement Project in the 1986 Measure B Expenditure Plan, replacing the Hayward Route 238 Bypass Project.

The Proposed Replacement Route 238/Mission-Foothill-Jackson Corridor Improvement Project includes the following major features:

- Generally on Mission Boulevard between Industrial Parkway and Jackson Street and on Foothill Boulevard between A Street and Mattox Road, conversion of the parking lane to a through traffic lane during peak periods only;
- Foothill Boulevard would become one-way northbound from the Mission/Foothill/Jackson grade separation to A Street;
- A Street would become one-way westbound from Foothill Boulevard to Mission Boulevard;
- Mission Boulevard would become one-way southbound from A Street to the Mission/Foothill/Jackson grade separation;
- B Street would revert to two-way traffic between Foothill Boulevard and Second Street;
- Grade separations would be at the Mission/Foothill/Jackson intersection and at Jackson/Watkins intersection;
- Substantial intersection improvements at the Mission/Carlos Bee intersection; and
- Other improvements as proposed by the City of Hayward.

PROPOSED AMENDMENT NO. 1 TO THE 1986 EXPENDITURE PLAN

Thus, pursuant to the enabling legislation of Measure B, under Public Utility Code Sections 131304 and 131050, which allows for the Authority to add, delete a project, or to make changes of major significance, Amendment No. 1 to the 1986 Alameda County Transportation Expenditure Plan has been approved to reflect the following:

1. **Delete references to the Route 238 Project currently in the project description in the Expenditure Plan's Essential Transportation Project List** as follows:

Project: *Route 238 and Route 84*
Cost: *~~$154~~ $77 million* *Sales tax contribution: ~~$134~~ $67 million*
Sponsor: *Caltrans*

Description: *Route 238 (Mission Boulevard) will be built as a six lane ~~freeway/expressway along Foothill and Mission Boulevard to Industrial Parkway. From there~~ roadway from Industrial Parkway to Route 84 near Decoto Road. ~~, existing Mission Boulevard will be widened to six lanes to existing Route 84.~~ Route 84 will then be built along a previously adopted alignment where rights of way have been acquired to intersect with 880.*

Note: Although the new Route 84 will likely intersect Route 238 somewhere north of Peralta Avenue, the six lane conventional road is intended to extend to Peralta Avenue. The remaining ~~$20~~ $10 million to complete the Route will come from other sources; i.e., local assessment districts, thus providing leveraging for the sales tax funds. The project is contingent upon receipt of the ~~$20~~ $10 million. If it is not forthcoming, the project will not be built. (2)

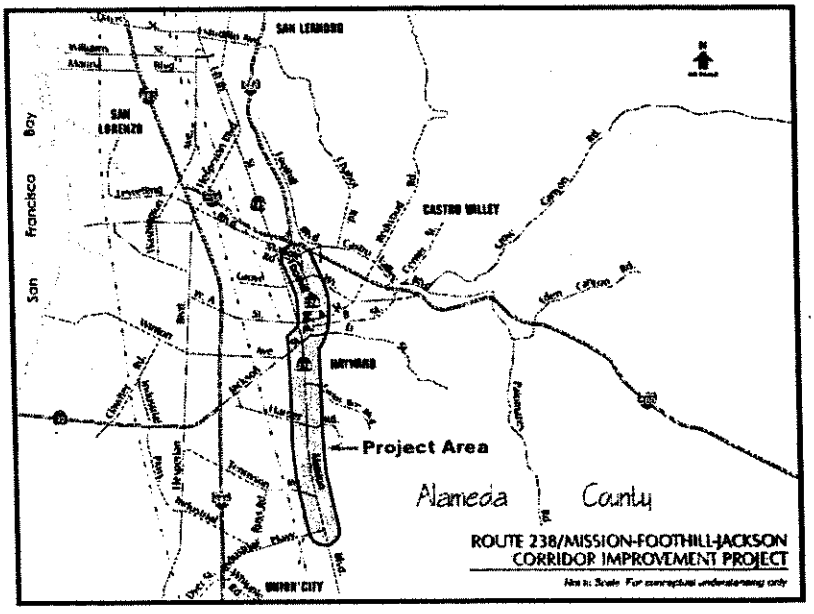
Note (2) *Cost break-out is as follows:*

~~A) Rte. 238 Hayward Bypass – 6 lane freeway/expressway (includes sale of excess right of way~~	~~70M~~
~~B)~~ A) Rte. 238 through Union City Widening existing Mission Blvd. to 6 lanes	15M
~~C)~~ B) Rte 84 – 4 lane freeway	55M
~~D)~~ C) Engineering/Design	~~14~~ 7M
Total	~~154~~ 77M

2. **Add the City of Hayward's Proposed Route 238/Mission-Foothill-Jackson Corridor Improvement Project** as follows:

Project:	*Route 238/Mission-Foothill-Jackson Corridor Improvement Project In Hayward*	
Cost:	*$91.5 million*	*ACTA Measure B Sales tax contribution: $80.0 million (inclusive of $1.5 million for project scoping)*
Sponsor:	*City of Hayward*	

Description:



Route 238/Mission-Foothill-Jackson Corridor Improvements in Hayward will include capacity and operational as well as pedestrian and bicycle improvements on Foothill and Mission Boulevards between Mattox Road and Industrial Parkway. Between Mattox Road and A Street, Foothill Boulevard will generally accommodate three northbound and three southbound lanes plus the conversion of the existing parking lane to a through traffic lane in each direction during peak periods only. Between A Street and Jackson Street, the project will convert some existing streets to a new one-way street system as follows: A Street will become a one–way street with five westbound lanes, joining Mission Boulevard as a one-way street with five southbound lanes, and meeting a grade separation at the intersection at Foothill/ Mission/Jackson. From the grade separation, Foothill Boulevard will be reconfigured to a one-way street with six northbound lanes to A Street. Between the grade separation and Industrial Parkway, Mission Boulevard will accommodate two lanes northbound and southbound, plus a conversion of the existing parking lane to a through traffic lane in each direction during peak periods. Several intersections along Foothill and Mission Boulevards will also be improved, including, but not limited to, the Carlos Bee Boulevard/Mission Boulevard intersection. The final scope of the project, including systems of one-way and/or two-way street configurations, and specific designs of streets and alignments that would meet the purpose and need of the project, will be determined by the environmental clearance process.

Cost and funding break-out and proposed schedule are as follows:

Tentative Cost Breakdown (Subject to Change):		***Cost***
		($ x 1 million)
Scoping		*1.5*
Environmental/Preliminary Engineering		*1.5*
Design		*8.0*
Right-of-Way Support and Capital		*12.5*
Construction Support and Capital		*68.0*
	Total	***91.5***

Funding:

$80.0 million – ACTA Measure B
$11.5 million – City of Hayward
$91.5 million - Total

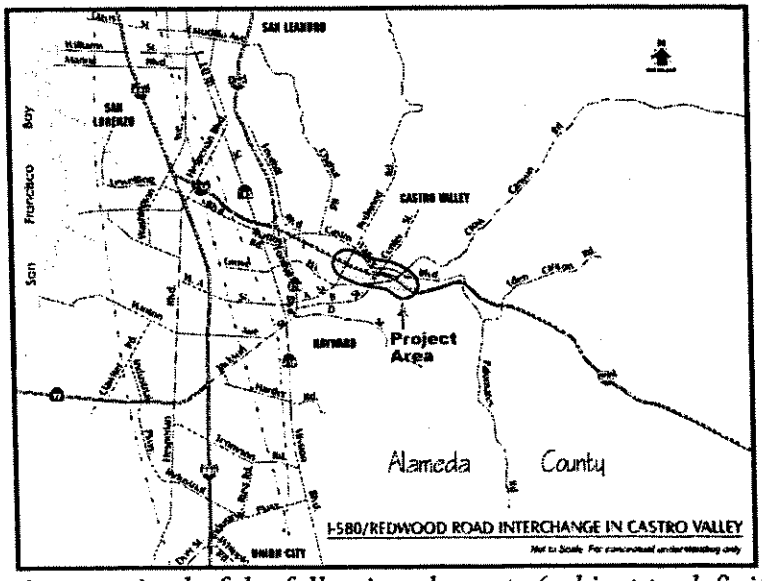
Tentative Schedule:

	Begin	***End***
Scoping	*Spring 2003*	*Spring 2005*
Environmental/ Preliminary Engineering	*Summer 2005*	*Winter 2006*
Design	*Summer 2006*	*Spring 2008*
Right-of-Way Support and Capital	*Summer 2006*	*Winter 2008*
Construction Support and Capital	*Fall 2008*	*Summer 2011*

3. ***Add the I-580/Redwood Road Interchange Project in Castro Valley*** as supplemental improvements to the Hayward Route 238/Mission-Foothill-Jackson Corridor Improvement Project as follows:

Project: *I-580/Redwood Road Interchange Improvements Project in Castro Valley*
Cost: *$29 million* *ACTA Measure B Sales tax contribution: $15 million*
Sponsor: *Alameda County Transportation Improvement Authority (ACTIA)*

Description:



The project is comprised of the following elements (subject to definition in the environmental document):

- *Construct a new westbound off-ramp from I-580 to Redwood Road;*
- *Construct a new eastbound on-ramp from Redwood Road to I-580;*
- *Replace the existing eastbound I-580 off-ramp to Center Street with a new off-ramp to Grove Way; and*
- *Remove the existing westbound on-ramp from Castro Valley Boulevard to I-580.*

Cost break-out and proposed schedule are as follows:

Tentative Cost Breakdown:		***Cost*** *($ x 1 million)*
Scoping		*0.7*
Environmental/Preliminary Engineering		*0.7*
Design		*2.1*
Right-of-Way Support and Capital		*8.5*
Construction Support and Capital		*17.0*
	Total	***29.0***

Funding:

$15.0 million – ACTA Measure B
$11.3 million – ACTIA Measure B
$2.7 million – Local
$29.0 million - Total

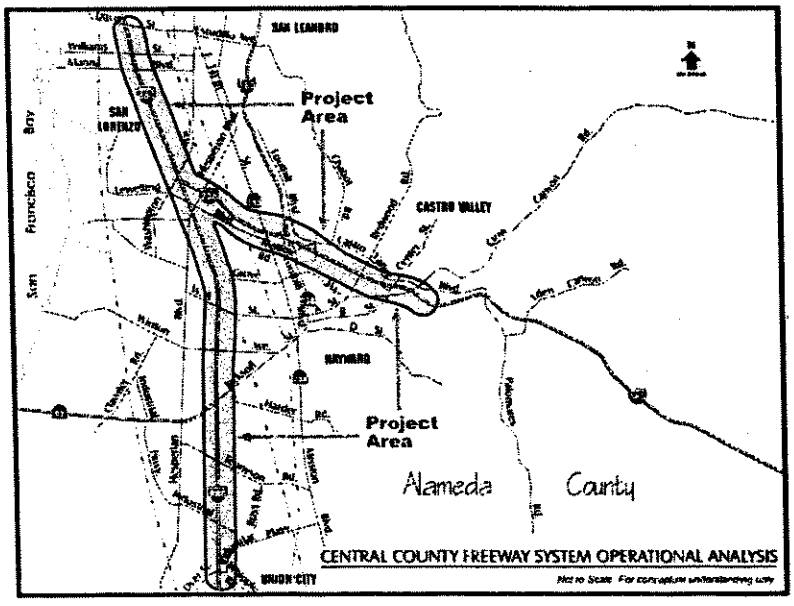
Tentative Schedule:

	Begin	***End***
Scoping	*Spring 2003*	*Summer 2004*
Environmental/Preliminary Engineering	*Summer 2004*	*Fall 2006*
Design	*Summer2005*	*Spring 2007*
Right-of-Way Support and Capital	*Summer 2005*	*Spring 2007*
Construction Support and Capital	*Spring 2007*	*Fall 2009*

4. **Add the Central Alameda County Freeway System Operational Analysis** as follows:

Project/Study: *Central Alameda County Freeway System Operational Analysis*
Cost: *$5 million ACTA Measure B Sales tax contribution: $5 million*
Sponsor: *Alameda County Transportation Improvement Authority (ACTIA) and Alameda County Congestion Management Agency (ACCMA), in consultation and coordination with the California Department of Transportation.*

Description:



The transportation planning study will document the long and short range plan for State highway improvements in the I-880, I-580 and I-238 Corridors, in Central Alameda County. The study shall include planning level traffic operations analysis, traffic congestion and operational problem/deficiency identification, benefit-cost analysis, project implementation strategy, and technical report. The Central County area includes the Cities of Hayward, San Leandro and unincorporated areas of Alameda County. The suggested limits for the corridors to be studied are: I-880 from Whipple Road to Davis Street; I-580 from Crow Canyon to I-238; and I-238 from I-580 to I-880. Specific projects to be considered in this planning study will include, but will not be limited to, those in the Alameda Countywide Transportation Plan and the ACTIA Measure B Expenditure Plan, as well as those that already have approved Project Study Reports. Other roadway improvements may be added as appropriate.

The purpose and objective of the study is the development of a technical report that addresses the long-range plan and the sequencing of improvements that will be required to achieve the most practical traffic relief in the I-880, I-580 and I-238 Corridors. The technical report will summarize the various project scopes, schedules and costs; funding availability; recommended project sequencing; and an implementation strategy that will provide the improvements that are most cost effective and

consistent with the transportation needs in the area. The technical report could be also used for preparation of programming documents (Caltrans Project Study Report) for possible State funding from the State Transportation Improvement Program (STIP), State Highway Operation and Protection Program (SHOPP), and/or proceeds from the sales of excess right-of-way pursuant to the SB 509 Statute.
Cost break-out and proposed schedule are as follows:

Cost: *Costs for the technical studies and subsequent Project Study Reports will be identified at the initiation of this project.*

Funding:

- *$5 million – ACTA Measure B.*
- *No other funding source identified at this time. However, there is potential funding from sale of state owned right-of-way associated with Route 238 Bypass Project pursuant to the SB 509 Statute.*

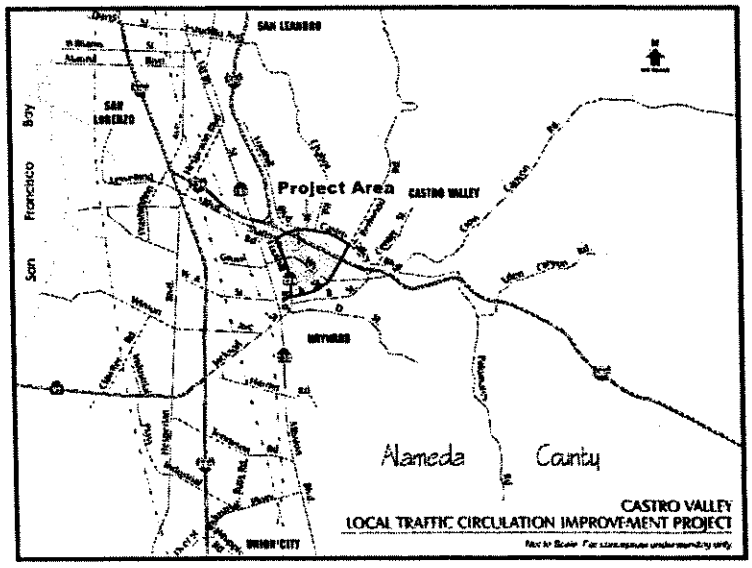
Tentative Schedule:

- *Technical studies identifying a list of potential projects – 6 months after Expenditure Plan Amendment approval.*
- *Project Study Reports for selected projects – 5 years after Expenditure Plan Amendment approval.*

5. **Add the Castro Valley Local Traffic Circulation Improvement Project** as follows:

Project/Study: *Castro Valley Local Area Traffic Circulation Improvement Project*
Cost: *$5 million* *ACTA Measure B Sales tax contribution: $5 million*
Sponsor: *Alameda County Public Works Agency*

Description:



Perform a Study in order to identify and prioritize transportation projects, and implement projects that advance safe and efficient multi-modal transportation objectives.

Background:
The Route 238 Bypass and the accompanying ramps from I-580 to the Route 238 Bypass would have provided congestion relief and reduced regional bypass and cut through traffic on numerous arterial, collector and local roads in the Baywood area of Unincorporated Alameda County. The proposed Hayward Route 238 Corridor Improvement Project does not provide these same benefits. The Baywood area of Unincorporated Alameda County is bounded by Castro Valley Boulevard, A Street and Foothill Boulevard.

Description:
The Alameda County Public Works Agency (ACPWA) will develop a list of projects for the potential use of these ACTA funds that will provide congestion relief and potentially increased capacity, and may address the regional bypass and cut through traffic that the Baywood area is presently experiencing. These projects will be evaluated against a set of criteria developed by ACPWA which may include, but are not limited to, congestion reduction, capacity enhancement, regional bypass and cut through traffic alleviation, cost-benefit, community acceptance, political acceptance, project readiness and confidence in project implementation. ACPWA will

develop a list of projects to be pursued with the Measure B funds and present them to the Board of Supervisors for their review and, if appropriate, approval. Project information will be shared with the City of Hayward on an ongoing basis for review and comment.

All phases of project development (preliminary engineering, environmental, design, right-of-way engineering and acquisition, and construction capital and support) are eligible for use of these funds.

It should be noted that the list of projects developed by the ACPWA may not be included presently in any County transportation programming document. However, the need for these projects has been known by ACPWA staff and voiced by the Baywood area constituency for some time.

Cost break-out and proposed schedule are as follows:

Cost: *Cost for the various project development phases to be developed with the list of projects by ACPWA.*

Funding: *$5 million*

Tentative Schedule: *Completion of List of Projects, Evaluation of Projects and Approval of List of Project by the Board of Supervisors – 6 months after Expenditure Plan Amendment approval.*

Implementation of List of Projects with Measure B Funds – 5 years after Expenditure Plan Amendment approval.

6. **Add Implementing Guidelines** as follows:

   a. The goal of the Amendment to the Expenditure Plan is to complete the projects described in the Amendment in a timely manner. All added projects will be given five years from the date of the final approval of this 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 project 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. Under no circumstance may Measure B funds in the 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, without an additional specific amendment to the Expenditure Plan.

   d. Project costs in excess of the amount of Measure B funding identified in the Amendment will be the responsibility of the Project Sponsor. Measure B funding for the added projects and studies are capped at the amounts identified in the Amendment.