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INTRODUCED BY  
COUNCILMEMBER \_\_\_\_\_

OFFICE OF THE CITY CLERK  
OAKLAND

2005 SEP 27

**RESOLUTION ENDORSING AMENDMENT OF THE 1986 MEASURE B ALAMEDA COUNTY TRANSPORTATION EXPENDITURE PLAN TO REPROGRAM FUNDS EARMARKED FOR THE ROUTE 238 HAYWARD BY-PASS PROJECT TO FOUR ALTERNATIVE PROJECTS IN CENTRAL ALAMEDA COUNTY THAT ADDRESS TRAFFIC CONGESTION IN THE HAYWARD BY-PASS CORRIDOR**

**WHEREAS**, in 1986, the voters of Alameda County approved Measure B, a ½ cent sales tax to pay for transportation projects as described in the Alameda County Transportation Expenditure Plan (Expenditure Plan), dated August 1986, and to be administered by the Alameda County Transportation Authority (ACTA); and

**WHEREAS**, the Measure B projects and programs in the Expenditure in North County and East County have been delivered and ACTA is currently working towards completing the delivery of the remaining projects in 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**, Caltrans developed the Route 238 Hayward Bypass Project as “a six lane freeway/expressway along Foothill and Mission Boulevards to Industrial Parkway” as part of the Route 238 and Route 84 project specified in the Expenditure Plan; and

**WHEREAS**, court decisions in 2002 specified Measure B funds could not be utilized to deliver the Route 238 Hayward Bypass Project as proposed by Caltrans without amending the Expenditure Plan; and

**WHEREAS**, Caltrans has relinquished sponsorship of the Route 238 Hayward Bypass portion of the Route 238 and Route 84 project in the Expenditure Plan; and

**WHEREAS**, on March 1, 2005, the City Council of Hayward passed a resolution submitting the Route 238 Corridor Improvement Project to the ACTA as the proposed replacement for the Route 238 Hayward Bypass Project in regional planning documents and the Expenditure Plan; and

**WHEREAS**, ACTA’s Board determined that Measure B funds committed to Central County projects must stay in Central County; and

**WHEREAS**, the ACTA Board approved the concept of the proposed Amendment No. 1 to the Expenditure Plan on April 28, 2005, and the specific language of Amendment No. 1 to the Expenditure Plan on May 26, 2005 replacing the Route 238 Hayward Bypass Project with four projects in Central County, including the Hayward proposed Route 238/Mission-Foothill-Jackson Corridor Improvement Project, to address traffic congestion in the Route 238 Corridor; and

**WHEREAS**, the Metropolitan Transportation Commission, the Alameda County Board of Supervisors, and a majority of the 14 cities representing a majority of the population in the incorporated areas of Alameda County must approve any amendment to the 1986 Expenditure Plan; and

**WHEREAS**, the Alameda County Mayors' Conference at their meeting on July 13, 2005 endorsed the proposed Amendment No. 1 to the Expenditure Plan by a unanimous vote of those in attendance; and

**WHEREAS**, Amendment No. 1 to the Expenditure Plan was transmitted on June 1, 2005 to the Metropolitan Transportation Commission (MTC) for review and approval, and MTC action is expected to occur in September 2005; now, therefore, be it

**RESOLVED**: that the City of Oakland City Council hereby approves Amendment No. 1 to the Expenditure Plan as defined in the September 13, 2005 Public Works Committee agenda report.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 20 2005, 20    

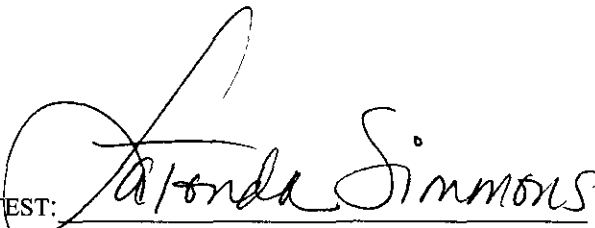
**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~BRUNNER~~, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE **-7**

NOES - **Ø**

ABSENT - **BRECKS - 1**

ABSTENTION - **Ø**

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, California