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October 6, 2020

Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Re: Opinion of Counsel
SFMTA and SFPW Request for an Allocation of TDA funds

To Whom It May Concern:

This communication will serve as the requisite opinion of counsel in connection with the Transportation Development Account Article 3 (TDA3) FY20/21 claim for San Francisco Public Works (SFPW) and the San Francisco Municipal Transportation Agency (SFMTA) for design and construction of curb ramps, sidewalk repairs, as well as Vision Zero Bicycle and Pedestrian Improvements including, but not limited to, striping and signing changes, signal hardware and/or timing modifications, bulb-outs, flashing or High-intensity Activated crossWalk (HAWK) beacons, safe hit posts, concrete islands, colored markings, bike boxes, and bike turn lanes, as set forth in the TDA Article 3 Project Application Forms.

1. The SFMTA and SFPW are eligible recipients of MTC TDA funds for the projects described above.
2. I have reviewed the pertinent state laws and I am of the opinion that there is no legal impediment to the SFMTA and SFPW making an application for TDA funds for the projects described above, or the ability of the SFMTA and SFPW to carry out such projects.
3. Further, there is no pending or threatened litigation that might in any way adversely affect the proposed project, or the ability of the SFMTA and SFPW to undertake such projects.

Very truly yours,

DENNIS J. HERRERA
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