



Office of the General Counsel

Alameda-Contra Costa Transit District

OPINION OF COUNSEL

TO: METROPOLITAN TRANSPORTATION COMMISSION

FROM: ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

DATE: April 24th, 2024

RE: Eligibility for Allocations of:

1. Transportation Development Act (TDA) Funds
2. State Transit Assistance (STA) Funds
3. Half-cent Sales Tax (AB1107) Revenues
4. AB664 Net Bridge Toll Revenues
5. Regional Measure 2 (RM2) Funds
6. Regional Measure 3 (RM3) Funds

This document will serve as the requisite opinion of counsel in connection with the application of the Alameda-Contra Costa Transit District (AC Transit) for allocations of TDA funds made available pursuant to Public Utilities Code (PUC) 99200 *et seq.*; STA funds made available pursuant to PUC 99310 *et seq.*; AB 1107 Sales Tax Revenues made available pursuant to PUC 29140 *et seq.*; Net Bridge Toll Revenues made available pursuant to Street and Highways Code Section 30892 *et seq.*; RM2 funds from Regional Measure 2 Regional Traffic Relief Plan made available pursuant to Streets and Highways Code Section 30914(c)(d) Express Bus Service Project, Owl Service Project and Tempo Bus Operations Project and Dumbarton Service Project. and RM3 funds from Regional Measure 3 Expenditure Plan made available pursuant to Streets and Highways Code Section 30914.7(a)(c) for Express Bus Service Project.

1. AC Transit is authorized to provide and assist public transportation by acquisition, construction, and operation of existing or additional transit facilities. This assistance may be provided directly or by contractual arrangements with other parties.
2. AC Transit is an eligible claimant for TDA/STA funds pursuant to PUC Section 99260; AB 1107 Sales Tax Revenues pursuant to the provisions of PUC Sections 29142.4 and 29142.5; and Bridge Toll Revenues in accordance with the provisions of Street and Highways Code Sections 30892 and 30893.
3. AC Transit is an eligible sponsor for the RM2 funding and RM3 funding.
4. AC Transit is authorized to submit an allocation request for RM2 funding for Express Bus Service Project, Owl Service Project, Tempo Bus Operations Project, and Dumbarton Service Project and RM3 funding for Express Bus Service Project.
5. I have reviewed the pertinent State and local laws and I am of the opinion that there is no legal impediment to AC Transit making an application for TDA/STA funds; AB 1107 Sales Tax Revenues; Bridge Toll Revenues; RM2 funds and RM3 funds. Furthermore, as a result of my examination, I find that there is no pending or threatened litigation that might in any way adversely affect the proposed projects, or AC Transit's ability to carry out such projects.

Sincerely,

Shayna van Hoften
Interim General Counsel/ Chief Legal Officer