

**DES MOINES AREA REGIONAL TRANSIT AUTHORITY
COMMISSION MEETING MINUTES**

**1100 DART Way – Des Moines, IA 50309
April 26, 2011**

ROLL CALL

Commissioners Present: Bob Mahaffey, Gaye Johnson, Christine Hensley, Skip Conkling, Tom Gayman, Angela Connolly, Ted Boesen; Steve Peterson for Steve Brody

Commissioners Absent: Steve Van Oort, Steve Brody

Alternates Present: Steve Peterson

Staff Present: Brad Miller, General Manager; Elizabeth Presutti, Chief Development Officer; Kirstin Baer-Harding, Advertising Manager; Jamie Schug, Chief Financial Officer; Tom Reynolds, Chief Operating Officer; Rebecca Lovig, RideShare Manager; Chet Bor, Paratransit Director; Debra Meyer, Capital Grants Manager; Randy McKern, Transportation Manager; P.J. Sass, Customer Service Manager; Suzanne Robinson, Clerk to the Commission;

Others Present: Dana Conn, TMA; Bill Wimmer, Wasker Law Firm; Sherrie Taha; John Halsband; and DART employees Mike Kaiser and Mike Drottz

CALL TO ORDER

The meeting was called to order by Chair Angela Connolly at 3:20 p.m. Roll call was taken and a quorum was present.

Notice of the meeting was duly published.

APPROVAL OF MINUTES

Chair Connolly called for corrections to the March 29, 2011, meeting minutes. There being no comments on the minutes, it was moved by Mr. Skip Conkling and seconded by Mr. Ted Boesen that the minutes be approved. The minutes were approved as written.

PUBLIC COMMENTS SECTION

Ms. Sherrie Taha, former DART employee, spoke about the fatigue issue that might affect bus drivers, and asked that DART management take the initiative to address possible scheduling problems. She also asked that DART keep in mind when looking at the re-drawn Senate Districts that Iowa State law requires gender equity on boards and commissions. Chair Connolly explained that DART's legal counsel, Nolden Gentry, has completed a legal opinion that states that because of the way DART is set up, and the way in which commissioners are appointed, DART does not fall under the gender-equity law. She added that she was sure the mayors who appoint the commissioners will keep in mind the need for diverse representation on the DART Commission.

Mr. Miller addressed the concern about fatigue issues, and said that the only concern remaining in the DART scheduling process is during the State Fair. He said that the bidding process has changed for the Fair, and that has made a difference by spreading the work among the total of drivers making it less likely that any will work back-to-back shifts. He also said that the issue was brought up by management during labor contract negotiations, and the representatives for the ATU did not want to make changes in the way scheduling is done because there are drivers who are anxious to get the overtime hours. He stated that the issue will be closely monitored and changes in scheduling can be made if necessary.

STATE LEGISLATIVE UPDATE

Mr. Bill Wimmer, DART's legislative consultant, presented his report on the current session of the Iowa Legislature. He totaled the cuts in appropriations which affected DART and explained why the Downtown Trolley and the state employees' pass program were eliminated. He said that he was still working with legislators to get the Capitol loop for the trolley re-established. He added that the Governor's Task Force will meet in May after the retirement of Iowa DOT Director Nancy Richardson, and that he is concerned that a DART representative and advocate be included in the process since this Task Force may be looking at a gasoline tax increase. Mr. Miller said that he will look into this and inquire about the makeup of the full committee. Mr. Wimmer described the stalemate between the governor and the legislature on the budget issues, and added that this has been the least productive legislative session in his memory.

Mr. Miller asked about the proposed bill to change the Iowa code to add transit bus drivers to the list of public employees who, if they are assaulted while on the job, the assailant is given much harsher penalties. Mr. Wimmer explained that the legislators don't think this issue is important enough to act on. Mr. Miller asked Mr. Wimmer to stress how vulnerable transit bus drivers are to assault, and added his hope that this issue will be considered in the future.

CONSENT ITEMS

7A – March 2011 Financial Reports

General Manager Brad Miller stated that expenses are down, but the growth in diesel fuel prices may be a problem, since DART budgeted \$2.50/gallon for this fiscal year, and saw savings in fuel prices over the first part of the fiscal year. Now diesel fuel is \$3.35/gallon (DART does not pay tax on fuel), and this is eating into the savings. Mr. Miller added that DART purchased some gasoline engine cutaway buses recently, and this purchase is now working to our advantage since gasoline is now less expensive than diesel fuel.

Mr. Miller said that DART staff met with the Holmes Murphy folks regarding health insurance costs for the next fiscal year, and were advised that there may be some savings in this area.

It was moved by Mr. Boesen and seconded by Mr. Peterson that the consent item 7A be approved. The motion carried unanimously.

ACTION ITEMS

Action Item 8A – One Year Extension of McDonald Transit Associates Contract

Mr. Miller discussed the projects that have been worked on by McDonald Transit Associates, which include:

- DART Tax Levy Workshop Facilitation
- Safety Plan Development
- West Des Moines Human Service Coordination
- General Manager Search
- Personnel recruitment
- ATU Labor Negotiations
- Paratransit Program Cost Analysis

McDonald Transit Associates has proposed to continue the \$3,000 monthly retainer fee plus direct travel and subsistence expenses, which has been in place for the past four years. These consultant expenses are reimbursed 80% by FTA Planning Grant funds.

It was moved by Christine Hensley and seconded by Ted Boesen that the McDonald Transit Associates, Inc., contract be extended for 12 additional months at a cost not to exceed \$45,000.

The motion carried unanimously.

Action Item 8B – Hoist Repair Contract

DART’s Maintenance Shop currently has six in-ground bus-hoists, original to the 32 year old facility, for performing repairs to vehicles. These hoists have been rehabilitated at least twice in the last 15 years and now only four of the six remain usable. DART conducted a “Request for Proposals (RFP)” for the purchase of In-Ground Bus Hoists. Four proposals were received. DART conducted best and final offer negotiations with all four firms. A protest was filed by the lift manufacturer, and the FTA and DOT reviewed it and denied the appeal.

It was moved by Mr. Peterson and seconded by Ms. Johnson that the Commission approve a Contract for the replacement of DART’s Maintenance Hoists, Maintenance Shop Floor and Lifting Columns by A&B Contracting, LLC, Des Moines for an amount not to exceed \$615,000.

The motion carried unanimously.

DISCUSSION ITEMS

Discussion Item 9A – Census Redistricting for DART Commission Districts

Mr. Miller handed out new maps for Iowa Senate Districts in Polk County, and there are changes due to re-districting by the Iowa Legislature, that may affect DART since commission districts were set up to follow the boundaries of the Senate Districts. Article III, Section 2.b.6 of DART’s enabling 28M Agreement calls for the Commission to:

In the year following an Iowa legislative redistricting, the Commission shall establish new boundaries for transit districts, as near as reasonably practicable to the newly established state senate districts for the boundaries of the cities and counties who are then Participating Communities under this Agreement.

He said that it appears as if the intent of the authors of the 28M Agreement was for DART to maintain a DART Commission of nine members, until such time as additional communities or counties joined with sufficient population to add a district as outlined in other sections of the agreement, and not to expand the DART commission every time re-districting is done. He added that DART’s Legal Counsel Nolden Gentry is drafting a legal opinion for the Commission to consider that will help to decide:

- Whether or not the Commission should add members to represent one or more of the new senatorial districts.
- What process might be implemented to reasonably establish new boundaries that meet the intent of the 28M legislation but maintain the 7 district Commission seats.

Mr. Gentry said that he would have a formal opinion with options ready for the Commission's review by the June Commission meeting.

9B – Quarterly Safety Report

Mr. Miller announced that DART had a very successful quarter compared to last year's and all previous year's statistics.

9C – Performance Reports

Mr. Miller said that ridership is down except on Route 7, which had its second highest ridership level since October of 2008. This increase is due to the extension of Route 7 to Altoona. He added that Express Routes showed growth in ridership in March, and RideShare was up as well, both attributable to the rise in gasoline prices.

MONTHLY REPORTS

Ms. Presutti said that construction bid information for the Transit Hub has been disseminated at a meeting at DART, with most of the potential bidders attending being local companies. She said that bids are due May 10.

She reminded commissioners and staff that Bike Month is in May and DART will be participating in a number of activities that will highlight DART's bike racks on the buses and how to use them.

Mr. Reynolds announced that DART's new IT manager will be starting work in May. He also discussed a problem with some bus routes running late due to the larger number of riders boarding and alighting, and said that Transportation staff is working on this issue. He briefly touched on some issues that arise due to special events being held in the city that affect the bus routes.

COMMISSION ITEMS

Mr. Miller asked Commission members to attend the Transit Hub Groundbreaking Ceremonies to be held at 11:00 a.m. on Friday May 20th at the site.

Mr. Miller said that the Greater Des Moines Partnership's annual trip to Washington DC to discuss community needs with the Congressional delegation will take place in mid-May this year, and that appointments have been made and he and Ms. Presutti would be advocating for DART's needs.

Chair Connolly passed out a document produced by Mr. John Bartosiewicz of McDonald Transit Associates which outlined the search process that he will lead to find a new General Manager to replace Mr. Miller, who is leaving for the position of General Manager with the transit system in St. Petersburg, Florida at the end of June. Chair Connolly announced that a Search Committee should be formed to assist Mr. Bartosiewicz, and appointed Ms. Hensley and Mr. Gayman in addition to her participation as Chair of the Commission.

ADJOURNMENT

The meeting was adjourned at 4:25 p.m.

2011 Meeting Dates

May 31, Jun 28, Jul 26,

No Commission Meeting in August

Sep 27, Oct 25, Nov 22, Dec 20

Date: _____

Chair: _____

Secretary: _____