

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

**1100 DART Way – Des Moines, IA 50309
February 1, 2012**

ROLL CALL

Commissioners Present: Bob Mahaffey, Angela Connolly, Matt Anderson for Tom Gayman, Steve Brody, Chris Hensley, Skip Conkling, Gaye Johnson, Ted Boesen

Commissioners Absent: Tom Gayman, Steve Van Oort

Alternates Present: Matt Anderson, Ben Champ, Steve Peterson

Staff Present: Elizabeth Presutti, General Manager; Jamie Schug, Chief Financial Officer; Claire Celsi, Marketing and Community Partnerships Director; Gunnar Olson, Public Information Officer; Chet Bor, Paratransit Director; Randy Ross, HR Director; Teresa Cashman, Scheduling Manager; Mike Kaiser, Service Management Manager; P.J. Sass, Customer Service Manager; Carmella Comito, Risk Manager; Mike Drottz, Purchasing Manager; Paula Covington, RideShare; Kyle McCann, Legal Counsel; Suzanne Robinson, Clerk to the Commission;

Others Present: Nathan Goldberg, MPO; Josh Hafner, Des Moines Register; Greg Sparks, City of West Des Moines; Todd Garner, Substance Architecture; Mark Trost, TDS, LLC; Kirsten McCollaugh, DMPS; Alexander Grgurich, TRAC; Carmen Parrott and Rebecca Durlinske, DART customers

CALL TO ORDER

The meeting was called to order by Chair Angela Connolly at 5:02 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 December 20, 2012 meeting minutes.

There being no comments on the minutes, it was moved by Mr. Brody and seconded by Mr. Conkling that the minutes be approved. The minutes were approved as written.

PUBLIC COMMENT

Des Moines Public Schools teacher and Ankeny resident Kirsten McCollaugh introduced Rebecca Durlinske and her daughter Carmen Parrott, who spoke about the possible service changes on Route #8 which provides service at Mitchell School at South Union and Porter, where 32 disabled students are taught, and where it is expected that fifteen more will join their group this year. In her statement,

she said that prospective service changes would affect the 32 students who would have to walk one-half mile from the bus stop to the school. Ms. Dublinske spoke for her daughter, stating that in the one-half mile there are often no sidewalks, and parents of the students are concerned. Ms. McCollaugh spoke again and thanked DART staff and drivers for the wonderful service they have provided to her students, and for the training they have done to teach the students to ride the bus. Ms. Hensley asked that DART staff include the City of Des Moines in any discussions, and the General Manager said that these concerns would be addressed as part of the public meeting process on service changes, which begins next week.

TRAC REPORT

Mr. Grgurich announced that TRAC has a new member, Peggy Chong, who will be replacing T. Anthony Welch on the committee. He said that the committee had received a report on the Satisfaction Survey of transit customers, and were also briefed on the prospective marketing plan to introduce service improvements and the opening of the DART Central Station. He said they also viewed a presentation by Ms. Sass on the new reduced-fare program for refugees and students. He said that all scheduled public meetings were on committee members' calendars, and thanked DART staff for the updates.

CONSENT ITEMS

7-A – DART Maintenance Shop Floor Epoxy Coating

7-B – DART Central Station Furniture Purchase

7-C – Fixed Route Replacement Bus Purchase and Hybrid Propulsion Upgrade

7-D – Paratransit and On-Call Replacement Bus Purchase

7-E – December 2011 Financial Reports

It was moved by Mr. Brody and seconded by Ms. Johnson that the consent items be approved. The motion carried unanimously.

ACTION ITEMS

Action Item 8A – DART Central Station Change Order and Project Update

Mr. Trost presented an update on the status of the project. He explained that the project is on schedule. There were a couple of minor safety issues – a car crashed into the fence in the middle of the night, and a welder fell and received a laceration. He explained that the “Incident Tree” worked as planned in this case. He also stated that the steel work is completed and the footings done. He added that the monthly Status Report to the FTA is included in the Commission Packet. Ms Presutti next explained the background to Change Order #2:

The DART Commission approved a contract with The Weitz Company not to exceed \$16,395,500. The original contract with The Weitz Company is in the amount of \$15,137,960 (which is inclusive of the base bid and selected alternates). To date DART has approved one change order in the amount of \$77,752, bringing the current contract value to \$15,215,712 with \$1,179,788 remaining in contingency.

DART was aware at the outset of the project that there would be the potential for change orders related to excavation and earth-moving for the project, given the fact that it is sited downtown, and its proximity to the railroad right-of-way, and had planned accordingly when establishing the contingency. Approval of Change Order #2 will bring the current contract value up to \$15,592,054 with \$803,446 remaining in contingency.

Mr. Mahaffey asked about the size of the dollar amount in the change order. The General Manager explained that as long as a change order does not exceed the contract amount, it doesn't require commission approval, but due to the high cost on this change order she wanted to thoroughly brief the commission and get approval.

It was moved by Mr. Conkling and seconded by Ms. Johnson that the Commission approve Change Order #2 with the Weitz Company for the construction of DART Central Station in the amount of \$376,342.

The motion carried unanimously.

Action Item 8B – FY-2013 Proposed Budget

Chair Connolly stated she felt the Budget Workshop held for the commission and alternates was very beneficial in understanding the proposed budget. Ms. Schug did a quick summary of the points presented at the Workshop. The proposed budget:

- Increases tax rates for all member communities by 15 cents.
- Increases DART's current level of service by 13 percent.
- Assumes substantial increases in fuel costs, health insurance rates, and DART Central Station Operating Costs.
- Reflects the implementation of technology which will greatly enhance the customer experience.

Property Tax Rates for all DART member communities for public transit services remain the lowest for any cities providing public transit in Iowa.

Proposed Tax Levies:

- Proposed tax rates listed are 15 cents higher than those assessed in FY2012.
- The rates shown below are the **highest** possible for each community and can be lowered at the February 28th meeting by the DART Commission if necessary. All rates are shown assuming all 20 member governments remain members of DART, which will occur as no community has provided the required notice ahead of FY2013 of their intent to withdraw.

Jurisdiction	FY2013 DART Levy	FY2013 Annual Cost for \$200K Home	Jurisdiction	FY2013 DART Levy	FY2013 Annual Cost for \$200K Home
Alleman	\$0.380	\$38.57	Johnston	\$0.400	\$40.60
Altoona	\$0.459	\$46.59	Mitchellville	\$0.386	\$39.18
Ankeny	\$0.409	\$41.51	Pleasant Hill	\$0.379	\$38.47
Bondurant	\$0.373	\$37.86	Polk City	\$0.348	\$35.32
Carlisle	\$0.381	\$38.67	Runnells	\$0.304	\$30.86
Clive	\$0.403	\$40.90	Sheldahl	\$0.304	\$30.86
Des Moines	\$0.594**	\$60.29	Unincorporated Polk County	\$0.307	\$31.16
Elkhart	\$0.300	\$30.45	Urbandale	\$0.452	\$45.88
Granger	\$0.374	\$37.96	West Des Moines	\$0.553	\$56.13
Grimes	\$0.372	\$37.76	Windsor Heights	\$0.728	\$73.89

** The City of Des Moines has notified DART of their intention to reduce their computed levy rate to this listed amount by providing DART \$680,000 in accordance with DART's adopted "Levy Buy-Down" policy.

Ms. Schug next presented the timeline:

- The Commission is asked to authorize the maximum levy rates listed above for publication as required by Iowa Code.
- Per the 28M Agreement, the Regional Transit Authority must hold a public hearing on the proposed budget and allow any member community or the public to provide information to the Commission prior to its adoption of the budget.
- A public hearing on the proposed budget is scheduled for: Tuesday, February 28, 2012 at 5:00 P.M. in the DART Offices - 1100 DART Way, Des Moines, IA 50309. The hearing will be held immediately prior to the regular DART Commission meeting where the Commission will consider adoption of the FY2013 budget in advance of the 28M Agreement's deadline of March 15, 2012.

It was moved by Mr. Mahaffey and seconded by Ms. Johnson that the Commission:

1. Authorize the Publishing of the FY2013 DART Tax Levies as presented.
2. Approve a Public Hearing on the FY2013 Budget and Published Tax Levies.

The motion carried unanimously.

Action Item 8C – University/Ingersoll Corridor Locally Preferred Alternative

Mr. Olson gave some background on this item:

The DART Forward 2035 Services Plan identifies potential corridors within the DART service area where Bus Rapid Transit (BRT) would be feasible. The DART Commission voted on August 2, 2011 to move forward with further study on the "University/Ingersoll Loop" route. The additional study, called an Alternatives Analysis, concluded in January 2012 and determined the eligibility of the route and defined various alternatives for the service.

The Federal Transit Administration (FTA) funds projects like the Ingersoll/University loop corridor BRT through its Very Small Starts program. The Very Small Starts program is a competitive process based on the evaluation criteria, which includes having a strong financial plan with local financial commitment.

The Commission voted on November 29, 2011, to direct staff to initiate a capital campaign to raise local match money in order to leverage the federal grant.

DART, in working with the public and the Stakeholder's Advisory Committee, as well as the consulting firm HNTB, has identified Bus Rapid Transit as the locally preferred alternative for the University/Ingersoll Corridor.

DART has also requested that the Des Moines Area MPO amend the Horizon Year 2035 Metropolitan Transportation Plan to recognize this corridor and the locally preferred alternative. Amending the MTP to include the corridor and locally preferred alternative will help demonstrate to the Federal Transit Administration (FTA) the MPO's support for the project.

Mr. Olson talked about some of the features that could be incorporated into the BRT route such as higher frequency of buses along the route, "stations" instead of bus stops, signal priority for traffic lights on the route, and queue-jumping ability. He also stated that businesses along the route will be assured that on-street parking will not be eliminated. He thanked Ms. Hensley, Mr. Mahaffey and Mr. Conkling for their attendance at the public meetings.

Ms. Hensley asked about submitting a Small Starts grant, and if DART will receive all the funds requested. The General Manager explained that DART might receive all or only part of the request. Mr. Conkling asked if DART has to have the local match funding in place prior to submitting the grant

request. Chair Connolly explained that DART must at least have “Letters of Intent” to include with the request. Mr. Conkling asked about a timeline, and the General Manager said DART would like to have the funding lined up by the end of March. She stated that while DART could apply at a later date, the current timetable is DART’s best option for receiving the funding. Ms. Hensley asked that the City of Des Moines be updated in order to help secure the funding. Mr. Brody asked about operational funding for the BRT, and the General Manager said that funding was included in the DART 2035 Plan. Mr. Brody then asked about revenue from the service, and the General Manager said that there is opportunity for a significant growth in ridership on the service, especially in the Drake area, and that DART is actively pursuing a number of funding opportunities to help support the service. Mr. Brody added that DART needs to make sure there is value equal to the investment in the service. Mr. Conkling mentioned that some funding should come from businesses along the corridor who will benefit from the service. The General Manager said that many of these businesses are already part of the Unlimited Access program, so partnerships have already been forged. Mr. Brody stated that the plans are very exciting and will move DART forward.

It was moved by Ms. Hensley and seconded by Mr. Conkling that the Commission approve the Locally Preferred Alternative (LPA) for the University/Ingersoll Corridor.

The motion carried unanimously.

DISCUSSION ITEMS

9A – Severe Weather Communications Plan

Mr. Olson gave a quick summary of DART’s new plan for communicating in the face of severe weather warning.

9B – Quarterly Safety Report

Mr. Bor outlined the past Quarter’s statistics, stating that DART suffered 1/3 fewer accidents over the past year, and will be continuing in its goal of only one accident per 100,000 miles. He said that DART’s Safety Committee has been active and is vigorously pursuing the safety goals set by DART staff. He also mentioned that staff was especially proud of the actions of a Paratransit driver when a truck slid into the Paratransit bus. He said that all riders on the bus were fastened into their seatbelts so that nobody was injured in the accident.

9C – Performance Reports

The General Manager announced that ridership was up 12% over last year.

MONTHLY REPORTS

Operations

Mr. Bor explained that the D-Line hours added on New Year’s Eve served 422 rides. He also announced that Paratransit has received a \$40,000 grant from Aging Resources. In addition, the National Transit Institute will be holding a “Train the Trainer” class here at DART on musculoskeletal injuries.

Marketing

Ms. Celsi announced that the rollout of the new Marketing Plan will be in March. She said that PR staff has been busy scheduling and getting ready to host the series of public meetings on BRT, and also scheduling meetings for the General Manager and herself with local businesses to discuss the

local match for the BRT project. She said that customer comments are now being tracked via new software, which will make the customer-comment process much more transparent and easier to study. She said that RideShare has begun a new marketing campaign with radio ads, and thanked Mayor Van Oort for using his “radio voice” on DART’s behalf in the ads. She also announced the winner of DART’s first social media contest – Chris Seiberling – who won various DART treasures for his entry.

General Manager

The General Manager gave a status update on labor negotiations, and said that the ATU will vote to ratify the contract on February 4. She announced a variety of tech projects that are currently ongoing, including a new paperless payroll system, the setting up of the beta site for the new trip planner, upgrade of the e-mail retention system due to becoming aware that emails weren’t being saved in a central location, and a study of document management systems. She stated that there appears to be progress in getting the needed Bus Operator legislation passed by the state legislature this year, and that DART’s lobbyist, Bill Wimmer, has been working hard to get the bill out of committee and in line for a vote.

COMMISSIONER ITEMS

12A – Amend DART Commission Bylaws

DART legal counsel Kyle McCann explained the steps necessary in amending the ByLaws. The proposed amendment must be presented in writing at a prior regular meeting of the Commission, notice of the proposed amendment must be contained in the meeting notice and agenda, and the Commission must approve the amendment by a 2/3’s vote.

Proposed Amendment:

During the November Commission meeting, Commissioner Steve Brody recommended that Article II, Section 2. C. of the Bylaws be deleted because it was no longer relevant to the operation of DART. The Bylaws require that before there can be an amendment to a provision of the Bylaws the Amendment must be presented in writing at a prior meeting of the Commission. (Bylaws Article VII). This was done at the December 2011 DART Commission Meeting.

The proposed Amendment: Shall Article II, Section 2. C. of the Bylaws be amended by deleting the following:

C. For members of the Commission taking office in July of 2006, members shall be appointed to either two year, three year or four year terms of office as follows: the initial terms of office for appointments in Districts 1, 3 and 8 shall be two years, the initial terms of office for appointments in Districts 2, 5 and 9 shall be three years, and the initial terms of office for appointments in Districts 4, 6 and 7 shall be four years. Commencing in July of 2008, new members appointed to the Commission shall be appointed to four-year terms of office. A description of the boundaries of each district is attached to the Agreement as Exhibit A.

It was moved by Mr. Brody and seconded by Ms. Hensley that Article II, Section 2.C. of the Bylaws shall be amended to delete it from the ByLaws.

The motion carried unanimously.

12B – DART Commission 28E-M Amendment and Redistricting Plan

Background:

After each decennial census and in accordance with law, Iowa's congressional and legislative district boundaries are redrawn in a process called redistricting. Based on the data obtained in the 2010 Census, the State of Iowa recently concluded its redistricting process, which will become effective in 2012. As a result of this redistricting, part or all of nine State Senate Districts are now located in Polk County. Thus, for DART's purposes, the new State Senate Districts no longer lend themselves to creating seven relatively equally-populated districts from which to select members of the Commission. Accordingly, the Agreement will need to be amended to provide for a method by which seven districts can be formulated.

The proposed new DART Commission Districts are a combination of two, and in two instances three, State House Districts to create each Commission district.

The proposed Commission districts are as follows: (i) State House Districts 30 and 33; (ii) State House Districts 31 and 32; (iii) State House Districts 34 and 35; (iv) State House Districts 36 and 41; (v) that part of State House District 19 in Polk County excluding the City of Granger and State House Districts 37 and 38; (vi) that portion of the City of Granger located in Polk County and State House Districts 39 and 40; and (vii) that part of State House District 42 in Polk County and State House District 43.

This combination of State House Districts will provide for seven relatively equally-populated districts from which to select members of the Commission.

Proposed DART Districts:

State House District 30 and State House District 33

Cities: Altoona; Bondurant; Carlisle; Des Moines; Elkhart; Mitchellville; Runnells

District Population: 61,208

Current Commission Representatives Residing in the District: Skip Conkling

State House District 31 and State House District 32

Cities: Des Moines; Pleasant Hill

District Population: 61,165

Current Commission Representatives Residing in the District: Bob Mahaffey and Ted Boesen

State House District 34 and State House District 35

Cities: Des Moines

District Population: 60,711

Current Commission Representatives Residing in the District: None

State House District 36 and State House District 41

Cities: Des Moines

District Population: 61,098

Current Commission Representatives Residing in the District: Christine Hensley

The Polk County Portion of State House District 19 Excluding the City of Granger, State House District 37, and State House District 38

Cities: Alleman; Ankeny; Des Moines; Polk City, Sheldahl

District Population: 64,685

Current Commission Representatives Residing in the District: Steve Van Oort

That Portion of the City of Granger located in Polk County; State House District 39, and State House District 40

Cities: Granger; Grimes; Johnston; Urbandale

District Population: 60,966

Current Commission Representatives Residing in the District: Tom Gayman

The Polk County Portion of State House District 42 and State House District 43

Cities: Clive; West Des Moines; Windsor Heights District Population: 60,791

Current Commission Representatives Residing in the District: Steve Brody

Mr. McCann explained that this amendment must go to all the DART member communities to be signed, but since it incorporates both House and Senate Districts in its design, when a future census requires re-districting, it won't affect the DART districts, and thus DART will not have to amend the 28E-M Agreement every ten years.

Chair Connolly added that due to the redistricting, Mr. Boesen and Mr. Mahaffey ended up in the same district, but Mr. Boesen will be resigning his seat on the Commission effective July 1, 2012. She further stated that Mr. Boesen has been a real asset to the DART Commission, and that both Commission and DART staff will be sorry to lose him.

Mr. Brody updated the Commission on the efforts to reach out to all the DART communities to explain this change, and all are agreeable.

It was moved by Mr. Brody and seconded by Ms. Johnson that the Commission:

1. Amend the 28E-M Agreement
2. Adopt the new DART Commission Districts.

The motion carried unanimously.

(Mr. Brody had to leave and Alternate Commissioner Steve Peterson took his place.)

CLOSED SESSION

Chair Connolly called for a motion to recess and reconvene in a closed session.

It was moved by Mr. Mahaffey and seconded by Mr. Conkling that the Commission adjourn and reconvene in closed session pursuant to Section 21.5, Subsection 1, Paragraph C of the Iowa code to discuss strategy with counsel on a matter where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of DART in that litigation.

Roll Call: Peterson yes, Mahaffey yes, Conkling yes, Johnson yes, Connolly yes, Anderson yes, Champ yes, Hensley, yes. The motion carried unanimously.

Chair Connolly recessed the meeting at 6:01 pm. At 6:14 pm it was moved by Mr. Conkling and seconded by Ms. Johnson that the closed session be adjourned.

Roll Call: Peterson yes, Mahaffey yes, Conkling yes, Johnson yes, Connolly yes, Anderson yes, Champ yes, Hensley, yes. The motion carried unanimously.

The regular Commission meeting was resumed at 6:15 pm. **Chair Connolly stated for the record that no action was taken during the closed session.**

ADJOURNMENT

The meeting was adjourned at 6:16 p.m.

Next Meeting Date:
February 28, 2012

2012 Meeting Dates

Feb 28, Mar 27, Apr 24, May 22, Jun 26, Jul 31, no meeting in August
Sep 25, Oct 23, Nov 27, Dec 18

Chair

Secretary/Treasurer

Date