



**DES MOINES AREA REGIONAL TRANSIT AUTHORITY
NOTICE OF COMMISSION MEETING AND AGENDA
MAY 25, 2010 – 5:00 p.m.
DART MULTI-PURPOSE ROOM, 1100 DART Way**

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Regular DART Meeting Tuesday, June 29, 2010 – 5:00 p.m.	
16. ADJOURN	

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

**1100 DART Way – Des Moines, IA 50309
April 27, 2010**

ROLL CALL

Commissioners Present: Bob Mahaffey, Angela Connolly, Tom Gayman, Ted Boesen, Skip Conkling

Commissioners Absent: Chris Hensley, Steve Brody, Steve Van Oort, Gaye Johnson

Alternates Present: Paula Dierenfeld, Steve Peterson, Ron Olson, Merrill Stanley

Staff Present: Brad Miller, General Manager; Sharon Cramer, Finance Director; Elizabeth Presutti, Chief Development Officer; Randy Ross, HR Director; Scott Reed, Senior Maintenance Manager; Chet Bor, Paratransit Director; Jim Tishim, Senior Planning Director; Randy McKern, Transportation Manager; Kirstin Baer-Harding, Advertising Manager; Rebecca Lovig, RideShare Manager; Mike Kaiser, Safety Manager; Gunnar Olson, Public Information Officer; Transportation Supervisor Greg Schmitt, Suzanne Robinson, Clerk to the Commission; Nolden Gentry, Legal Counsel

Others Present: Cynthia Reynaud, Des Moines Register; Dana Cox, TMA ; David Jenson and Betty Glover, Windsor Heights City Council; John Halsband, DART Customer

CALL TO ORDER

The meeting was called to order by Chair Angela Connolly at 5:00 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 30, 2010 minutes.

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

RECOGNITION OF RETIRING IOWA DOT STAFF

Item deferred to May 25 Commission meeting.

PUBLIC COMMENTS SECTION

None

CONSENT ITEMS

- A. Light Duty Paratransit Bus Purchase
- B. Benefits Consultant Agreement
- C. March 2010 Financial Report

It was moved by Mr. Ted Boesen and seconded by Mr. Steve Peterson that the Consent Items be approved. The motion carried unanimously.

ACTION ITEMS

Action Item 8A – Public Hearing Schedule for Debt Issuance

General Manager Brad Miller listed the cities that have approved issuance of bonds and said that Ankeny would be the last council meeting to vote. He announced that there will be a special DART Commission meeting to be held at DART on June 16 at Noon to award General Obligation bonds. The meeting shouldn't last more than 30 minutes.

It was moved by Mr. Conkling and seconded by Mr. Boesen that the Commission set a date for a public hearing and an issuance date for \$3.5 million in limited Tax Obligation Bonds for Tuesday, May 25, 2010 at 5:05 p.m.

The motion carried unanimously.

Action Item 8B – 2035 Regional Transit Services Plan and Alternatives Analysis

Ms. Presutti said that the special committee formed to review the Scope of Work for the 2035 Regional Transit Services Plan and Alternatives Analysis (Commissioners Van Oort, Brody and Boesen, Ms. Presutti and Mr. Miller) met on April 23, and discussed a greater time frame for the plan to reach out 20-25 years, and have added a new task to reflect that expanded scope in the RFP. She said that DART will have a 10-year very specific plan, with the longer range a taking a broader view. Mr. Boesen added that it is DART's hope that this work will be complementary to the ongoing studies/work of the MPO and Greater Des Moines Partnership. Ms. Presutti added that DART is starting with a blank slate with no assumptions in its assessment.

It was moved by Ms. Dierenfeld and seconded by Mr. Mahaffey that the commission authorize DART staff to issue a Request for Proposals for a 2035 Regional Transit Services Plan and Alternatives Analysis pending FTA approval.

The motion carried unanimously.

DISCUSSION ITEMS

9-A – April 25, 2010 Service Change Update

Ms. Presutti began a PowerPoint presentation regarding the work done to date for the April 25, 2010 service changes:

- Public Meetings summary and update.
- Major route changes.
- New schedules compiled and printed.
- Comments from public listed, with most customers unhappy with fewer buses and greater wait times, or reduction in hours of service.

Ms. Dierenfeld asked what route changes were getting the most comments, and Ms. Presutti said that all the changes had been commented on at about the same rate, none stood out. Chair Connolly added that all the publicity and materials produced on all media, and flyers handed out to riders and the public in general was awesome, and that the outreach has more than been accomplished for notification. Mr. Conkling said that he's received comments about the Saturday service changes in particular affecting local hospital personnel who might not be able to continue to ride the bus to work and back, and Ms. Presutti mentioned that DART's service to the disabled community was negatively impacted as well.

Ms. Presutti said that the next steps in the process would be instituting more changes in June and in August. She announced that a CMAQ grant to bring mid-day service to Altoona would begin in August. Mr. Miller noted that other new service will go into Johnston as well, and said that Gunnar Olson, DART's Public Information and Communications director was working on a process to highlight these initiatives. Mr. Miller also said that DART's On-Call service has been working with all the regular riders in Urbandale, particularly those that work at Marsh, and that all have been accommodated by the On Call service.

9-B - Quarterly Safety Report

Mr. Miller said that the many days of severe winter weather were not good ones for DART, and that an increased number of weather-related accidents, some deemed preventable but more judged as non-preventable were incurred. He said that many of them were caused by other vehicles sliding into the buses. But things are much better for the month of March. Mr. Mahaffey asked about the statistics at the top of the page for the 3rd Quarter and Ms. Presutti said that it was an oversight and they would be corrected.

9-C - Performance Reports

Mr. Miller said that ridership was strong in March returning to September 2009 levels after 5 months of decline due largely to the harsh winter. Ms. Dierenfeld noted that Route #93 is continuing to do very well, and Mr. Miller added that the West Des Moines routes that have had declining ridership were doing better. Mr. Mahaffey asked about the estimated figures for October, and Mr. Miller reminded commissioners that it was because of a farebox technology system crash that left DART without statistics that month.

MONTHLY REPORTS

Mr. Miller thanked DART staff for doing an incredible job in getting the service changes accomplished, particularly Ms. Presutti and her customer service staff. He also said that involuntary layoffs were not necessary since two drivers volunteered to be laid off in hopes that full-time work would again be available by autumn. He said that since DART has not been hiring, attrition has been such that DART is now scheduling mandatory overtime, and new part-time drivers will be needed soon. Mr. Boesen asked if DART had received any candidates via the Job Fair, and Mr. Miller said that none for drivers, but there were some maintenance technicians who were interested in the part-time work. Human Resources Manager Randy Ross added that since we had to tell potential candidates that they might be laid off, this stymied DART's attempts in hiring.

Mr. Miller also announced a new Employee Recognition Program that is being planned and will be instituted in the near future to reward employees who go above and beyond in their job duties.

FUTURE AGENDA ITEMS

No discussion

COMMISSIONER ITEMS

Mr. Miller reminded commissioners that the seats held by Mr. Boesen and Mr. Van Oort will open for renewal or reassignment on July 1, 2010.

CLOSED SESSION

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

Closed Session:

It was moved by Mr. Boesen and seconded by Mr. Conkling that the Commissioners of the Des Moines Area Regional Transit Authority go into closed session to discuss strategy with counsel on a matter that is presently in litigation where its disclosure would be likely to prejudice or disadvantage the position of Dart in that litigation.

Roll Call: Gayman yes, Conkling yes, Connolly yes, Boesen yes, Mahaffey yes, Olson yes, Peterson yes, Stanley yes, Dierenfeldt yes.

The motion carried unanimously

Chair Connolly recessed the meeting at 5:32 pm. It was moved by Mr. Boesen and seconded by Mr. Mahaffey that the closed session be adjourned.

Roll Call: Gayman yes, Conkling yes, Connolly yes, Boesen yes, Mahaffey yes, Olson yes, Peterson yes, Stanley yes, Dierenfeldt yes.

The motion carried unanimously.

The closed session was adjourned at 5:50 pm.

The regular Commission meeting was resumed at 5:50 pm.

The Chair stated for the record that no action was taken during the closed session.

ADJOURNMENT

The meeting was adjourned at 5:51 p.m.

2010 Meeting Dates

May 25, June 16 – Noon, Jun 29, Jul 27, no meeting in Aug, Sep 28, Oct 26, Nov 23, Dec 21

Date: _____

Chair: _____

Secretary: _____

RECOGNITIONS



5: Recognitions

Staff Resource: Brad Miller, General Manager

A. Retiring Iowa Department of Transportation Staff: Peter Hallock & J.P. Golinvaux

- Peter Hallock, Assistant Director of IDOT's Office of Public Transit and J.P. Golinvaux, Transit Program Administrator with the same department are scheduled to be at the meeting so we can recognize them for literally decades of assistance and service to DART/MTA.
- Peter & J.P. are taking advantage of the state's early retirement program but are taking with them more than 60 years of transit experience. The entire state will miss them but clearly, DART specifically will notice their absence.

B. DART Employee Recognition

- Approximately 3-4 DART employees will be recognized at the meeting for recent exemplary efforts on behalf of DART.
- As part of DART's new employee recognition program, periodically, similar recognitions will be made in front of the Commission.
- There is no planned, structured schedule for such recognition.

PUBLIC HEARING



6: Public Hearing on Proposed Debt Issuance

TIME CERTAIN: 5:05 p.m.

Staff Resource: Brad Miller, General Manager

Background:

- In accordance with Section 28M of the Iowa Code, the enabling legislation for DART, DART Must follow Iowa Code Section 331.443 – Notice of Proposed Action, which requires DART to advertise and conduct a public hearing whenever it wishes to issue debt or execute debt instruments such as General Obligation Bonds.
- DART wishes to sell General Obligation Bonds (Limited Tax) worth \$3.5 million for the purpose of repaying outstanding Bankers Trust Company, N.A. debt incurred for prior liability claims.

Public Hearing Procedures:

- Any participants wishing to speak on the proposed subject should sign up in advance on the appropriate speakers list.
- If necessary, DART staff will make a brief presentation regarding the subject of the hearing prior to receiving comment.
- Speakers will be asked to state their:
 - Name
 - Address
 - Affiliation (if any)
- Speakers will be asked to limit their remarks to 5 minutes.
- Written comments/emails received to date will be made available to anyone wishing to review them.

After the Public Hearing is closed, the Board may chose to vote on this item or set the vote for a later date.

ACTION ITEM



6A: Debt Issuance - \$3,500,000 in General Obligation Bonds, Series 2010

Action: Approve Resolution to:

- A. Take Additional Action to Enter Into a Loan Agreement**
- B. Establish Wednesday, June 16, 2010 as the Date for the Sale of \$3,500,000 [Limited Tax] General Obligation Bonds, Series 2010**
- C. Approving Use of an Official Statement.**

Staff Resource: Brad Miller, General Manager

Bond Issuance:

- Wednesday, June 16, 2010 - 10:00 a.m.
- Special DART Commission Meeting to Approve Bonds: **July 16, 2010 - 12:00 PM**

Resolution:

- Attached.

Resolution taking additional action to enter into a Loan Agreement, setting the date for the sale of the corresponding \$3,500,000 [Limited Tax] General Obligation Bonds, Series 2010, and approving use of an Official Statement

WHEREAS, pursuant to the provisions of Sections 28M.3 and 331.402 of the Code of Iowa, 2009, as amended, the Commission (the "Commission") of the Des Moines Area Regional Transit Authority ("DART"), Des Moines, Polk County, Iowa, has heretofore proposed to contract indebtedness and enter into a [Limited Tax] General Obligation Loan Agreement (the "Loan Agreement") in a principal amount not to exceed \$3,500,000 for the purpose of providing funds for the payment of claims and repayment of outstanding debt incurred for the payment of prior claims, and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, the Commission deems it advisable and necessary at this time to provide for the sale of [Limited Tax] General Obligation Bonds, Series 2010 (the "Bonds") in the principal amount of \$3,500,000 to be issued in evidence of the Commission's obligation under the Loan Agreement;

NOW, THEREFORE, It Is Resolved by the Commission of DART as follows:

Section 1. The Commission hereby determines that DART shall enter into the Loan Agreement in the future and declares that this resolution constitutes the "additional action" required by Sections 331.402 and 331.443 of the Code of Iowa, 2009, as amended.

Section 2. The 16th day of June, 2010, at 10:00 o'clock a.m. at DART's Administrative Offices located at 1100 DART Way, Des Moines, Iowa, is hereby fixed as the time and place for receiving and canvassing bids for the purchase of the Bonds, and the Commission shall meet on said date at ____ o'clock __.m. at DART's Administrative Offices located at 1100 DART Way, Des Moines, Iowa, for the purpose of considering such bids received and passing a resolution providing for the sale and issuance of the Bonds.

Section 3. [Pursuant to Section 75.14 of the Code of Iowa, the Commission hereby authorizes the use of electronic bidding procedures for the sale of the Bonds through PARITY[®], and hereby finds and determines that the PARITY[®] competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale.]

Section 4. The Chair, Secretary/Treasurer and General Manager are hereby authorized and directed to take such action as shall be deemed necessary and appropriate, with the assistance of Dorsey & Whitney LLP, as Bond Counsel, and Public Financial Management, Inc., as Financial Consultants, to participate in the preparation of a statement of information and solicitation of bids to be distributed on behalf of DART by the Financial Consultants, describing the Bonds and providing for the terms and conditions of their sale, and to take any and all other

actions which may be necessary to provide for the sale of the Bonds on terms favorable to DART.

Section 5. The use by the Financial Consultants of a Preliminary Official Statement relating to the Bonds in substantially the form as has been presented to and considered by the Commission is hereby approved, and Dorsey & Whitney LLP, as Disclosure Counsel and the Financial Consultants are hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the Preliminary Official Statement but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the sale and issuance of the Bonds, and the General Manager is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested. The Preliminary Official Statement as of its date is deemed final by the Commission within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission.

Section 6. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved May 25, 2010.

Chair

Attest:

Secretary/Treasurer

CONSENT ITEM



8A: Renewal Contract with Coventry Health Insurance.

Action: Approve a One Year Renewal with Coventry Health Insurance for a Cost not to Exceed \$900,000.

Staff Resource: Randy Ross, Human Resources Director

Background:

- DART contracts with Holmes Murphy, of West Des Moines as its benefits consultant to assist in annually selecting, and coordinating DART's health insurance, dental and vision benefits for its full-time employees.
- Holmes Murphy has recommended renewing DART's health insurance for FY2011 with Coventry Health Insurance for the second straight year.
- DART's dental and vision insurance will also be renewed with Delta Dental and Avesis respectively.

Renewal Cost:

- Coventry's renewal rates are proposed to be increased by **8.9%** over their FY2010 rates, allowing them to just barely come within DART's adopted FY2011 budget assumption of 9%.
- Since 2007, more than half of DART's eligible employees have switched their plan choice to the High-Deductible, "Health Savings Account" or HSA plan option. With such a high proportion of DART's workforce managing their own healthcare spending, DART's claim history continues to be very low compared to comparable companies or prior years.
- With the spring 2010 premature birth of twins to a DART employee and an extended intensive care stay for the newborns, no other competitor to Coventry was willing to present a competitive counter proposal.

Funding:

- DART's ATU and Teamsters contracts both call for any increase in rates to be shared between DART and the employees equally (50%/50%).

CONSENT ITEM



8B: April FY2010 Consolidated Financial Report

Action: Approve April FY2010 Consolidated Financial Report

Staff Resource: Sharon Cramer, Finance Director

Year-to-Date Budget Highlights:

Revenue:

- Fixed Route Operating Revenue for April is 11.5% below budget. Year-to-date revenue is 6.7% below budget as a result of lower-than-budgeted farebox due to the economy and layoffs. This shortfall was anticipated when developing the adopted FY2011 budget.
- Fixed Route Non-Operating Revenue year-to-date is 3% above budget due to the receipt of the unexpected \$788,000 in federal ARRA Operating Funds in March.
- Paratransit Operating Revenue year-to-date is 1% below budget. Non-Operating revenue is slightly above budget.
- Rideshare Revenues for April are 23% below budget due to a large amount refunds paid to customers that were laid off, leaving the vanpool program. Year-to-date revenues are 12.8% below the budget due to a less aggressive expansion van implementation schedule than originally anticipated.

Operating Expense:

- Wages and benefit expenses year-to-date are 3.3% under the adopted budget due primarily to vacancies.
- Fuels and lubricant expenses for April are 16% over budget due to using the prepaid fuel contracts where the blended cost per gallon is \$3.04. The budgeted cost per gallon is \$2.75.
- Services costs are showing 26% below the budget due primarily to overall reduced operator and maintenance expenses (the anticipated net operating costs for the new Clive On-Call and #93 86th Street Route were budgeted here but they are being expensed within the salary and maintenance categories).
- Building and Grounds year-to-date has a 43% savings due to several areas of lower than anticipated expenses involved in servicing and maintaining DART facilities.
- Miscellaneous Departmental Expenses year-to-date are 37% over budget due to the accounts receivable cleanup effort, which increased the bad debt expense.
- Paratransit cab expenses continue to be significantly over budget, 68% year-to-date. Expenses are up over 17% from last year and contrary to the expectation of a drop in use of taxi cab services, ridership allocated to cabs has grown. DART is working with Polk County case managers to assist in scheduling trips during daytime hours whenever possible so that higher-cost taxis are not used.
- Paratransit Year-to-Date Expenses are 6.5% over budget due to the increased cab costs and a reduction in Medicaid reimbursement rates. Additionally, lower-than-expected expenses for On-Call services (operated by Paratransit but paid for by Fixed Route) are being transferred out

CONSENT ITEM

8B: April FY2010 Consolidated Financial Report



of this departmental budget leaving the Paratransit Budget with a net overage. Much of this overage caused by the On-Call vs. Paratransit expenses will be reconciled at Year-End.

- Rideshare Expenses year-to-date are 10.3% below budget as the expansion van operating costs have not been recognized. The fuel costs continue to stay below budget with a year-to-date savings of 32%. The average annual cost per gallon is \$2.41 and the budget is \$3.05.

**** TOTAL Year-to-Date April FY2010 as Compared to Budget :**

Fixed Route	\$ 956,798	Reserve For Accidents (See Balance Sheet):
Paratransit	\$ (196,113)	FY2010 - \$ 389,009
Rideshare	\$ (21,556)	Prior - \$1,478,328
Total	\$ 739,129****	

****DART's Adopted FY2011 Budget is premised on a positive year end balance of approximately \$630,000. DART is on track to meeting this requirement with two months remaining in the fiscal year.

May 25, 2010

FY2010 Financials:

April 2010

FIXED ROUTE	April 2010			Year-To-Date-(10) Months Ending 4/30/2010		
	Actual	Budgeted	Variance	Actual	Budgeted	Variance
Operating Revenue	339,451	383,287	(43,836)	3,578,991	3,832,870	(253,879)
Non-Operating Revenue	960,962	1,043,968	(83,006)	10,740,868	10,439,680	301,188
Subtotal	1,300,413	1,427,255	(126,842)	14,319,859	14,272,550	47,309
Operating Expenses	1,444,394	1,368,405	(75,988)	13,557,472	14,466,961	909,489
Gain/(Loss)	(143,981)	58,850	(202,830)	762,387	(194,411)	956,798

PARATRANSIT	April 2010			Year-To-Date-(10) Months Ending 4/30/2010		
	Actual	Budgeted	Variance	Actual	Budgeted	Variance
Operating Revenue	193,421	194,883	(1,462)	1,929,997	1,948,830	(18,833)
Non-Operating Revenue	58,044	62,518	(4,474)	627,665	625,180	2,485
Subtotal	251,465	257,401	(5,936)	2,557,662	2,574,010	(16,348)
Operating Expenses	267,225	265,981	(1,244)	2,933,729	2,753,964	(179,765)
Gain/(Loss)	(15,760)	(8,580)	(7,180)	(376,067)	(179,954)	(196,113)

RIDESHARE	April 2010			Year-To-Date-(10) Months Ending 4/30/2010		
	Actual	Budgeted	Variance	Actual	Budgeted	Variance
Operating Revenue	74,935	96,921	(21,986)	845,666	969,210	(123,544)
Non-Operating Revenue	2,685		2,685	2,710	-	2,710
Subtotal	77,620	96,921	(19,301)	848,376	969,210	(120,834)
Operating Expenses	99,090	96,237	(2,853)	870,961	970,240	99,279
Gain/(Loss)	(21,470)	684	(22,154)	(22,585)	(1,030)	(21,556)

DISCUSSION [WITH OPTION TO TAKE ACTION]



9A: Community Withdrawal Procedures

Action: Approve Resolution to Formally Adopt Community Withdrawal Policies Consistent with DART's 28M Agreement.

Staff Resource: Brad Miller

Background:

- 28M Agreement – Article XVI, Section 2 of DART's 28M agreement grants sole discretion to the DART Commission to require a Withdrawing Community "to pay over an amount determined by the Commission to be necessary to fully fund its share of such Bonds or credit obligations..."
- Commission Direction – Following meetings with Counsels from several DART Participating Communities, the Commission directed its Counsel to draft up a more detailed policy regarding withdrawal procedures.

Highlights of Policy:

- Definition of "Bonds or Credit Obligations" – includes all outstanding liability claims and loans and other debt incurred related to those liability claims.
- Timing – The policy states that a Withdrawing Community is responsible for its proportionate share of all outstanding liability claims as of the time of actual withdrawal of a Withdrawing Community (the start of a fiscal year at least 18 months after Notice of Intent to Withdraw).

Other:

- Several communities have inquired and are aware of this policy and understand that should the Commission approve of their city's withdrawal, they will be obligated to pay their proportionate share of all debt, claims, and liabilities as of June 30 of the year in which their withdrawal actually takes place.
- DART staff has agreed to provide any community for which withdrawal has been requested and approved by the DART Commission, no less frequent than quarterly updates on outstanding liability estimates in advance of and following their withdrawal date.

Resolution:

- Attached

DISCUSSION [WITH OPTION TO TAKE ACTION]



9A: Community Withdrawal Procedures

A RESOLUTION APPROVING THE POLICY OF DES MOINES AREA REGIONAL TRANSIT AUTHORITY TO INCLUDE WITHDRAWING COMMUNITY'S SHARE OF DEBT A PROPORTIONATE AMOUNT OF THE LIABILITY CLAIMS OUTSTANDING AS OF THE FORMAL WITHDRAWAL DATE AND TO INCLUDE OR CONSIDER OUTSTANDING LIABILITY CLAIMS AS FALLING UNDER THE DEFINITION OF BONDS OR CREDIT OBLIGATIONS.

WHEREAS, The Des Moines Area Regional Transit Authority ("DART") recognizes that it is the policy of DART to include, consider and treat those certain outstanding liability claims as such obligations falling under the definitions of bonds and/or credit obligations as set forth and allowed by the DART 28M Agreement. Consistent with such policy, it is also the DART's policy to include, consider and treat those certain outstanding liability claims as debt/bond/credit obligations of the DART and that such debt be included in a Withdrawing Community's proportionate share of debt/credit/bond obligations that is required to be paid in full upon withdrawal as set forth in the DART's 28M Agreement.

WHEREAS, The DART wishes to formally recognize such policy(ies); and

WHEREAS, The DART finds that it is within the best interest of DART to formally recognize and adopt such policy(ies),

NOW THEREFORE DART at its regularly scheduled meeting of May __, 2010 adopted the following Policy:

It is the Policy of the Des Moines Area Regional Transit Authority to include, consider and treat those certain outstanding liability claims as such obligations falling under the definitions of bonds and/or credit obligations as set forth and allowed by the DART 28M Agreement. Further, it is the Policy of the DART to include, consider and treat all outstanding liability claims as indebtedness/ or debt/bond/credit obligations under the DART 28M Agreement and that such liability claims, outstanding as of the time of actual withdrawal of a Withdrawing Community (18 months after Notice of Intent to Withdraw), shall be included in the calculation of a Withdrawing Community's proportionate share of indebtedness or debt/bond/credit obligations. This in no way limits inclusion of any other indebtedness or debt/credit/bond obligations of DART in such calculation or limits the definitions of the terms "bonds" and/or "credit obligations."

BE IT, THEREFORE, RESOLVED by the Des Moines Area Regional Transit Authority Commission that above said Policy is hereby approved.

DISCUSSION [WITH OPTION TO TAKE ACTION]



9A: Community Withdrawal Procedures

Whereupon the resolution was unanimously adopted.

Date

Secretary/Treasurer

The foregoing is a true, correct copy of the resolution adopted by the Des Moines Area Regional Transit Authority at its meeting on _____.

Date

Chair

DISCUSSION ITEM



9B:	DART Social Media Initiatives
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Staff Resource: Gunnar Olson, Public Information Officer

Presentation:

A presentation on DART's plans to implement several social media initiatives will be presented at the meeting. This presentation was recently made to DART's Transit Rider's Advisory Committee (TRAC) earlier this month where we received several helpful suggestions.



System Summary Performance Report April 2010

	October 2009	November 2009	December 2009	January 2009	February 2010	March 2010	April 2010	April 2009	Percent Change 2010/2009	FY10 Year To Date	FY09 Year To Date	Percent YTD Change 2010/2009
DART Fixed Route												
Total Ridership	374,541	327,688	285,052	298,298	321,183	351,807	345,002	380,027	-9.22%	3,454,029	3,910,091	-11.66%
OTT Ridership	16,770	1,442	12,804	10,383	12,570	14,812	15,746	17,245	-8.69%	131,229	202,545	-35.21%
Unlimited Access Ridership	55,232	48,315	51,494	50,776	54,432	54,722	50,955	60,176	-15.32%	530,634	729,602	-27.27%
Bike Rack Usage	3,287	2,367	910	341	356	1,683	2,902	2,792	3.94%	24,833	27,420	-9.43%
Passengers/Revenue Hour	22.02	21.19	18.10	18.26	20.53	20.02	20.38	22.24	-8.39%	17.36	20.08	-13.54%
Avg. Passengers/Weekday	15,802	15,816	13,051	13,484	14,802	14,240	14,580	16,228	-10.15%	15,130	17,231	-12.19%
Avg. Passengers/Weekend Day	2,989	2,719	2,670	2,861	3,142	3,036	3,030	2,876	5.34%	10,393	3,153	229.58%
Complaints/100,000 Riders	29.63	24.96	34.10	25.96	17.23	18.62	28.68	15.69	82.85%	25.34	20.96	20.88%
Commodations/100,000 Riders	2.59	2.33	7.66	4.82	1.01	2.44	2.49	1.96	27.20%	2.99	2.01	48.91%
Accident Frequency Rate by Service:												
Preventable/100,000 Miles	2.92	0.94	2.24	1.81	2.27	2.00	1.28	1.68	-23.58%	1.82	1.53	18.70%
Non-Preventable/100,000 Miles	1.25	3.77	4.04	4.97	5.90	2.00	0.43	0.84	-49.06%	1.73	1.18	46.36%
Maintenance:												
Total Miles Operated	239,931	212,331	222,964	221,416	220,422	249,860	233,757	238,172	-1.85%	2,063,263	2,348,551	-12.15%
Road Calls/100,000 Miles	15.42	21.19	23.32	22.13	19.05	22.81	22.67	23.09	(0.02)	19.85	20.48	-3.07%
Active Vehicles in Fleet	113	112	112	112	110	134	134	120	11.67%	119	121	-2.22%
DART Paratransit												
Total Ridership	14,837	12,925	12,229	10,759	13,324	15,522	14,764	14,926	-1.09%	137,343	139,449	-1.51%
Passengers/Revenue Hour	3.18	3.18	2.99	2.94	3.13	3.23	3.25	3.31	-1.81%	3.15	3.33	-5.55%
Average Trip Length	6.04	6.10	6.12	6.20	5.81	5.65	5.64	5.69	-0.82%	5.41	5.19	4.36%
Accident Frequency Rate by Service:												
Preventable/100,000 Miles	0.00	1.38	4.39	1.65	4.24	1.24	2.63	1.29	104.19%	2.42	1.52	59.21%
Non-Preventable/100,000 Miles	1.23	2.77	2.93	4.96	0.00	0.00	0.00	0.00	#DIV/0!	1.34	0.83	62.16%
Maintenance:												
Total Miles Operated	81,166	72,326	68,317	60,543	70,786	80,647	76,033	77,626	-2.05%	743,679	723,555	2.78%
Active Vehicles in Fleet	26	26	26	28	28	28	28	27	3.70%	27	29	-6.62%
DART RideShare												
Total Ridership	28,364	22,748	23,318	23,274	24,470	28,480	26,034	26,564	-2.00%	248,108	266,072	-6.75%
Total Vans in Circulation	100	100	100	102	102	101	99	97	2.06%	100	95	5.60%
Total RideShare Customers	853	864	883	892	879	865	866	864	0.23%	866	890	-2.67%
Accident Frequency Rate by Service:												
Preventable	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	#DIV/0!	0.00	0.34	-100.00%
Non-Preventable	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.59	-100.00%	0.00	0.46	-100.00%
Maintenance:												
Total Miles Operated	191,565	170,001	176,454	162,056	174,572	205,994	193,658	188,281	2.86%	\$1,819,052	1,755,604	3.61%
Active Vehicles in Fleet	106	106	106	108	107	106	106	101	4.95%	107	99	7.46%



System Performance Ridership Report April 2010

	October 2009	November 2009	December 2009	January 2010	February 2010	March 2010	April 2010	April 2009	Percent Change 2010/2009	FY10 Year To Date	FY09 Year To Date	Percent YTD Change 2010/2009
DART Fixed Route Ridership	29,784	327,688	286,580	298,298	321,183	351,807	345,002	380,027	-9.22%	3,110,800	3,910,091	-20.44%
Local Routes:												
#1 - Fairgrounds	0	41,964	37,676	37,193	39,914	46,873	42,339	43,590	-2.87%	478,920	548,629	-12.71%
#3 - University	0	67,643	59,084	61,368	64,950	72,439	71,673	75,893	-5.56%	606,486	708,581	-14.41%
#4 - Urbandale	0	30,133	25,260	26,722	28,681	30,618	31,410	33,904	-7.36%	260,517	340,657	-23.53%
#5 - Clark	0	20,733	17,724	19,157	20,487	23,242	19,539	22,546	-13.34%	176,284	213,484	-17.43%
#6 - Douglas	0	46,166	38,098	38,190	42,897	46,278	48,273	51,224	-5.76%	397,994	484,969	-17.93%
#7 - Ft. Des Moines	0	41,105	33,459	34,964	37,781	41,081	41,741	44,156	-5.47%	352,966	420,896	-16.14%
#8 - South Union	0	9,505	7,716	8,052	9,358	10,448	10,700	12,283	-12.89%	81,514	113,957	-28.47%
#10 - Pleasant Hill**	0	402	450	376	267	548	338	619	-45.40%	67,680	69,606	-2.77%
#11 - Ingersoll/WDM	0	1,894	1,772	1,778	1,631	1,854	5,089	2,822	80.33%	20,712	23,156	-10.55%
#12 - Urbandale Business Park	0	479	438	462	400	505	411	423	-2.84%	4,036	3,737	8.00%
#13 - SE Park Ave.	0	6,315	4,442	5,520	6,205	5,022	6,090	7,392	-17.61%	42,702	56,873	-24.92%
#71 - Ankeny/Delaware**	0	1,250	1,120	694	688	862	882	664	32.83%	7,499	5,160	45.33%
Shuttle Routes:												
Link Shuttle	8,123	8,010	8,253	8,466	8,768	8,872	7,815	13,628	-42.65%	85,587	156,211	-45.21%
Dline	17,292	13,414	13,137	13,533	15,850	19,842	15,472	21,830	-29.13%	161,576	177,110	-8.77%
DMACC	0	81	176	175	121	89	86	130	-33.85%	1,053	982	7.23%
Lincoln/McCombs	0	9,211	7,412	9,029	9,789	7,379	8,730	10,935	-20.16%	63,947	84,143	-24.00%
MLK P&R Shuttle (discontinued end of March 09)	0	0	0	0	0	0	0	0	#DIV/0!	0	63,973	-100.00%
Express Routes:												
#90 - Airport South Business Park	0	598	598	1,025	992	1,217	981	1,190	-17.56%	8,477	16,510	-48.66%
#91 - Northwest	0	1,717	2,122	1,634	1,632	1,717	1,733	1,549	11.88%	15,091	17,072	-11.60%
#92 - Urbandale	0	2,872	2,577	2,765	3,216	3,786	3,339	6,364	-47.53%	28,486	70,480	-59.58%
#93 - NW 86th Express	0	3,343	2,710	3,489	3,275	3,587	3,594	902	298.45%	31,299	7,349	325.89%
#94 - Westown	0	1,138	1,584	1,329	1,218	1,454	1,783	1,556	14.59%	13,001	15,571	-16.51%
#95 - Vista	0	2,480	2,889	2,628	2,610	2,762	3,446	3,332	3.42%	26,155	46,575	-43.84%
#96 - E.P. True	0	3,819	4,822	4,418	4,586	4,625	4,319	5,305	-18.59%	39,496	65,225	-39.45%
#98 - Ankeny	0	7,236	6,153	8,423	8,640	9,132	8,186	10,396	-21.26%	72,809	118,940	-38.79%
#99 - Altoona	0	2,114	2,413	2,574	2,556	2,812	2,554	2,870	-11.01%	22,793	36,314	-37.23%
On-Call Routes (Operated by Paratransit):												
On-Call: Ankeny	183	179	238	198	323	204	168	202	-16.83%	2,129	2,220	-4.10%
On-Call: Des Moines	288	281	299	299	323	335	254	267	-4.87%	2,713	2,324	16.74%
On-Call: Urbandale	2,020	1,807	2,178	2,044	2,078	2,161	2,097	2,719	-22.88%	20,314	24,601	-17.43%
On-Call: West Des Moines	1,324	1,293	1,290	1,300	1,461	1,522	1,363	1,230	10.81%	13,230	13,315	-0.64%
On-Call: Clive	404	351	408	400	372	365	414	0	100.00%	3,649	0	--
On-Call: REGIONAL	150	155	82	93	114	176	183	106	72.64%	1,685	1,471	14.55%
DART Paratransit Ridership	14,837	12,925	12,229	10,753	13,324	15,522	14,764	14,926	-1.09%	137,337	139,449	-1.51%
Bus/Van	13,442	11,865	11,160	9,771	12,188	14,274	13,481	13,650	-1.24%	125,475	128,672	-2.48%
Cab	1,395	1,060	1,069	982	1,136	1,248	1,283	1,276	0.55%	11,862	10,777	10.07%
DART RideShare Ridership	28,364	22,748	23,318	23,274	24,470	28,480	26,034	26,564	-2.00%	248,108	266,072	-6.75%
TOTAL RIDERSHIP	72,985	363,361	322,127	332,325	358,977	395,809	385,800	421,517	-8.47%	3,496,245	4,315,612	-18.99%

* Last day of operation 4/23/10

** April 23 was the last day of operation. Is now route 1.

MONTHLY REPORT



10A: Development Department

Staff Resource: Elizabeth Presutti, Chief Development Officer

March Employer Presentations:

- Principal (2 visits)
- AVIVA (3 visits)
- Nationwide (2 visits)
- Transit Mall Grab & Go's (4 sessions)
- Junction Earth Day
- Eastside Library
- Forest Avenue Library
- Job Expo DART Presentation
- Franklin Library
- Downtown Library
- Mercy Hospital
- Principal Earth Day

Customer Service Statistics in March:

- 260 email replies were provided.
- 34 complaints were received.
- 8 commendations were received.

Public Information and Communications:

- Organized media event for Bus Roadeo.
- Fielded press inquiries about alleged assault.

RideShare:

- Met with Aviva on expanding the RideShare program with their upcoming move to West Des Moines.
- Participated in a Grab and Go at Allied Nationwide as well as the Indianola Green Fair and the Trash Bash.
- Changed vendors from Deery Brothers to Karl Chevrolet for most of RS maintenance issues.

Bus Storage Garage Addition and Maintenance Office:

- Construction commenced again and is moving forward at full speed..

MONTHLY REPORT
10A: Development Department



Wellmark Service Proposal:

- Wellmark requested DART to evaluate our service and to propose possible options to provide more direct service to the new Wellmark complex on Grand Ave. between 11th St. and 14th St.
- Options and service costs were developed and presented to Wellmark.
- Also, a detailed map of all current DART bus stops by route was included in the proposal.

AVIVA Service Extension & New Unlimited Access Partner:

- We are pleased to announce that AVIVA has become DART's newest Unlimited Access Partner.
- On June 1, 2010, AVIVA will begin a staged moving process to their new campus at Jordan Creek Pkwy and Mills Civic Pkwy in West Des Moines.
- Plans are being finalized to extend the #11 Ingersoll/WDM to Jordan Creek route to pull in to their campus effective June 13, 2010.
- In addition, Wells Fargo has agreed to change the route through their campus to improve the service for their employees. The route change will bring their employees directly up to their build, as well as, allow the route to pull directly into AVIVA after exiting Wells Fargo.

Other Updates:

- On June 14, 2010 DART will have a service change to adjust schedules with the end of school year. At this time some schedules will be adjusted slightly based on comments from the April 25, 2010 service change.
- Requests for Proposals have been issued for the following DART projects:
 - Automatic Vehicle Location/Real Time Information System
 - Transit Trip Planning Software
 - 2035 Transit Services Plan and Alternatives Analysis



11B:	Transportation Department
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Staff Resource: Randy McKern, Transportation Manager

Tim Slack, Fixed Route Supervisor, has announced his retirement which leaves an additional vacancy in the Transportation Department. Tim has been with MTA/DART for 36 years. Tim's experience as a driver has given him the opportunity to mentor senior and new Operator's since becoming a Fixed Route Supervisor in September of 2007. Tim has a great sense of urgency when Operators need assistance with customers or other Operator needs. Tim is team oriented and his demeanor and overall experience in transit should be envied by all DART employees. Tim will be greatly missed by the transportation drivers and staff. Tim's last day at DART is March 27, 2010.

MONTHLY REPORT



10C:	Paratransit Department
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Staff Resource: Chet Bor, Paratransit Director

Polk County Senior Fest 2010:

- Once again, DART provided transportation in support of Polk County's Senior Fest 2010 (previously known as the Senior Health Fair) on May 19th.
- DART provided 448 trips to and from the Iowa State Fairgrounds from ten pick-up locations around the greater Des Moines area. Ridership was up 17.9% over the previous year.
- Paratransit coordinated and managed the transportation and provided the majority of the buses and drivers, with Fixed Route contributing three buses and drivers.
- Special thanks to Georgia Parkey for heading up DART's efforts. Thanks also to Ted Parry, Neil Hampton and Mike Kaiser for providing on site support alongside Georgia.

Paratransit Outreach:

- Paratransit continues to conduct community outreach to educate potential riders about the various services offered by DART. In May, Neil Hampton visited with 30 senior residents of Stonecrest Apartments.
- In June, Neil will visit Prairie Hills, Des Moines (south of Easter Lake), Courtyard Estates, Bondurant and Carlisle Wellness and Rehab, Carlisle to promote the Regional On Call.

Client Database Maintenance:

- There were 4,403 clients in the active client database for paratransit. During April, Paratransit sent out letters to 719 clients that have not used the service in the previous twelve months advising them that they are being placed in an inactive status.
- If a client notifies us that they wish to remain in the active client database, they can be re-activated at any time. 64 clients have since contacted us and have been reinstated.
- DART has received confirmation that 151 clients have either moved or are deceased.
- The last time DART performed this type of client database update was in 2006, at which time there were 2,347 clients in the active client database. Since that time, the number of clients has increased by 87.6%.

MONTHLY REPORT



10D:	Maintenance Department
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Staff Resource: Scott Reed, Senior Maintenance Manager

Maintenance:

- Working on updating and correcting mileage issues related to Fuel Focus. Identifying accurate life to date mileage for required reports.

- Total Road Calls were 66
 - Fixed Route – 57 road calls - following represented largest problems
 - (12) or 21% Engine Related
 - (12) or 21% Electrical Issues
 - (6) or 11% Coolant Issues
 - (4) or 7% Belt Problems
 - (4) or 7% W/C Lifts/Ramps Problems
 - (4) or 7% Transmission Issues

 - Paratransit – 12 road calls
 - (1) or 9% Engine Related
 - (2) or 17% Electrical Issues
 - (1) or 9% Brakes Issues
 - (1) or 9% W/C Lifts/Ramp Issues
 - (3) or 25% Coolant Issues
 - (1) or 9% Fuel System Issues
 - (3) or 25% Body Issues

 - On Call - 1 road call
 - (1) or 100% Engine related

- PM Inspections performed this month: 61

- Annual A/C Inspections performed: 92

Building & Grounds:

- Expansion of storage barn project is once again underway. Projected completion, August/September

MONTHLY REPORT



10E:	General Manager
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Staff Resource: Brad Miller, General Manager

DC Partnership Trip:

- Commissioners Hensley, Brody, Conkling, and Van Oort will be joining me and Elizabeth Presutti as members of the Greater Des Moines Partnership annual DC Trip, Wednesday June 9 – Friday, June 11, 2010.
- Besides participating in the Transportation Priorities presentation to key transportation legislative staff on Thursday afternoon, DART has scheduled the following meetings with our Congressional delegation to promote federal funding for DART's Transit Hub project.
 - **Congressman Tom Latham** – Wednesday, June 9, 3:30 p.m. (EDT)
 - **Congressman Leonard Boswell** – Thursday, June 10, 11 a.m. (EDT)

APTA Bus Safety Seminar Presentation:

- I was honored to be invited to participate in an all-day seminar with dozens of transit safety professionals on Saturday, May 1, 2010 in Cleveland, OH. I presented on DART's progress on implementing multiple safety initiatives to institute a new safety culture at DART in the wake of our serious pedestrian accidents.
- DART was recognized, along with the Cleveland transit system, as being industry leaders in working to reduce the likelihood of bus-pedestrian accidents. It has now been just a year since the first, most significant study of the transit industry's response to these serious types of accidents has come out and this seminar was a fantastic learning experience and offered an opportunity for all participants to realize how common the challenge in dealing with these unfortunate occurrences is across the country.

Bus Alarm Complaints in Sherman Hill Neighborhood:

- Two residents of Sherman Hill have followed-up on previously filed complaints regarding the beeping noises that the safety turning alarms make when buses on Route #4 make turns in the Sherman Hill neighborhood. I met with the neighbors and developer and Senator Jack Hatch on May 6 and we agreed to implement the following changes to our alarm program:
 - Lower the decibel level of the alarms approximately in half.
 - Research whether a timer could be installed with the alarms so they do not sound for more than the limited period of time needed to alert pedestrians at the corners of the intersection that a bus is turning.
 - Ensure that 100% of all DART buses have the same sounding alarm.
 - Research and consider implementing the same "verbal" alarms that the Cleveland system is now implementing that has a woman's voice announcing "Bus is turning! Bus is turning!"

MONTHLY REPORT
10E: General Manager



- **Selection to the National “TOPS” Research Committee**– I am honored to have been selected to be on a select committee of national transit leaders on what is known as the Transportation Cooperative Research Program Oversight and Selection (“TOPS”) Committee. This committee, formed under the National Academy of Science’s Transportation Research Board in coordination with FTA and APTA meets twice annually including a weekend meeting in Massachusetts, June 12-13, 2010. All expenses are paid for by the Transportation Research Board.



Future DART Commission Items
May 25, 2010

SPECIAL - June 16, 2010 12:00 P.M.	
Action Items	Information Items
- Approve \$3.5M Bond Issuance	- DART Commissioner Terms & Alternate Vacancies
June 29, 2010 5:00 P.M.	
Action Items	Information Items
- Approve 2035 Planning Study - Approve Website/Trip Planner - Maintenance Vehicle Hoist Contract - Approve FY2011 Des Moines Public School Contract - Approve FY2011 Polk County Paratransit Contract	
July 27, 2010 5:00 P.M.	
Action Items	Information Items
- Approve AVL Contract	
September 28, 2010 5:00 P.M.	
Action Items	Information Items
- FY2012 Budget Projections - FY2010 Audit	

Key Meetings/Dates:

- June 9-11, 2010 - DSM Partnership Trip in Washington DC
- June 16, 2010 Noon - Special Commission Meeting to Approve Bond Awards
- June 23-26, 2010 - IPTA Annual Meeting and State Bus Rodeo in Sioux City, IA
- October 3-6, 2010 - APTA Annual Meeting in San Antonio, TX

Other Future Items:

COMMISSIONER ITEM



12:	Commission Member & Appointment Status Update
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Staff Resource: Brad Miller

Region 1 – Skip Conkling (Altoona, Mitchellville, Runnells, Bondurant)

- Reappointed – 2008. Term ends June 30, 2012.
- Alternate – NONE

Region 2 – Steve Brody (West Des Moines, Windsor Heights, Clive)

- Term ends June 30, 2013.
- Alternate – Steve Peterson

Region 3 – Christine Hensley (Des Moines)

- Reappointed – 2010. Term ends June 30, 2014.
- Alternate – Merrill Stanley, Des Moines Assistant City Manager

Region 4 – Tom Gayman (Urbandale, Des Moines)

- Appointed January 2008. Term ends January 2012.
- Alternate – NONE

Region 5 – Bob Mahaffey (Des Moines)

- Reappointed – 2009 Term ends June 30, 2013.
- Alternate – Rick Clark Des Moines, City Manager

Region 6 – Ted Boesen (Des Moines, Pleasant Hill, Carlisle)

- Term Ends **June 30, 2010**
- Alternate – Ben Champ, Pleasant Hill Director of Community Development

Region 7 – Steve Van Oort (Ankeny, Elkhart, Alleman, Sheldahl, Polk City, Granger, Grimes, and Johnston)

- Term Ends **June 30, 2010**
- Alternate – Paula Dierenfeld, Mayor of Johnston

Polk County (8) – Gaye Johnson

- Reappointed – 2008. Term ends June 30, 2012
- Alternate – Ron Olson, Polk County Manager

Polk County (9) – Chair Angela Connolly

- Reappointed – 2009. Term Ends June 30, 2013
- Alternate – Ruth Randleman, Mayor of Carlisle

CLOSED SESSION



13:	Closed Session – To Discuss Strategy With Counsel
Action:	The Commission meeting be recessed and reconvened in closed session pursuant to Section 21.5, Subparagraph I of the Iowa Code.

Resource: Nolden Gentry, Legal Counsel

Background:

- In order to adjourn for a closed session, an affirmative vote must be taken of the Commission of either two-thirds of the commission or all of the members present at the meeting.

Procedures for Closed Session at Commission Meetings:

1. The Chairman asks for a motion to recess the meeting and reconvene in closed session.
2. Motion is made with following language:
“I move that the Commissioners of the Des Moines Area Regional Transit Authority go into closed session to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.”
3. Motion is seconded.
4. Roll Call Vote is taken.
5. All visitors leave the room.
6. A special tape must be recorded and kept by the commission clerk for a period of one year of the closed session.
7. No action may be taken in a closed session.
8. The Chair will adjourn the closed session when discussion is over.
9. **The Chair will state for the record that no action was taken during the closed session.**
10. Action may be taken at this time on any discussion made in the closed session.

Closed Session:

- The Commission will discuss and consider approving the DART General Manager's Contract.

ACTION – IN OPEN SESSION FOLLOWING CLOSED SESSION



13-A: DART General Manager Contract

Action: Approve a Revised Contract with Brad Miller, DART's General Manager

Background:

- Personnel Committee – Comprised of the DART Commission Officers (Chair, Vice Chair, and Secretary/Treasurer), the DART Personnel Committee will present and discuss a recommended contract for Brad Miller, DART's General Manager.
- Closed Session – It anticipated that the Commission will approve entering into closed session to discuss the contract prior to any open-session approval of a contract.
- The Commission is required to reconvene an open session of the Commission to approve any contract.

General Manager Contract

- Brad Miller's original three-year contract was executed in June 2006. The original contract automatically renews for one-year terms if not otherwise approved.