



**DES MOINES AREA REGIONAL TRANSIT AUTHORITY
NOTICE OF COMMISSION MEETING AND AGENDA
FEBRUARY 1, 2012 – 5:00 p.m.
DART MULTI-PURPOSE ROOM, 1100 DART Way**

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

**1100 DART Way – Des Moines, IA 50309
December 20, 2011**

ROLL CALL

Commissioners Present: Bob Mahaffey, Angela Connolly, Tom Gayman, Steve Brody, Gaye Johnson, Steve Van Oort, Chris Hensley

Commissioners Absent: Ted Boesen, Skip Conkling,

Alternates Present: Paula Dierenfeld

Staff Present: Elizabeth Presutti, General Manager; Tom Reynolds, Chief Operating Officer; Jamie Schug, Chief Financial Officer; Randy Ross, HR Director; Claire Celsi, Marketing and Community Partnerships Director; Kirstin Baer-Harding, Advertising Manager; Gunnar Olson, Public Information Officer; Jim Tishim, Planning Director; Greg Schmitt, Transportation Training; Paula Covington, RideShare; P.J. Sass, Customer Service Manager; Nolden Gentry and Kyle McCann, Legal Counsel; Suzanne Robinson, Clerk to the Commission;

Others Present: Todd Erzen, Des Moines Register; Greg Sparks, City of West Des Moines; Tim Moroney, Jerry Patton, John Halsband, DART customer

CALL TO ORDER

The meeting was called to order by Chair Angela Connolly at 5:01 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 November 29, 2011, meeting minutes.

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

PUBLIC COMMENT

None

CONSENT ITEMS

Consent Item 6A – Fixed Route Replacement Bus Purchase **Consent Item 6B – MPO and CIRTPA Committee Appointments** **Consent Item 6C – November 2011 Financial Reports**

It was moved by Mr. Mahaffey and seconded by Ms. Hensley that the Consent Items be approved.

The Consent Items were approved unanimously.

ACTION ITEMS

Action Item 7A – DART Forward Year One Implementation – Public Meetings and Hearings

General Manager Elizabeth Presutti explained to the Commission that even though the Commission hasn't yet approved the budget, the public meeting dates must be set. She said the approval of the meeting dates in no way obligates the Commission.

Ms. Celsi presented a Power Point showing the timeline for the service changes, and the optimal dates for the public meetings prior to the implementation of the changes. She said there will be three rounds of meetings, and they will be held in different regions of the community in order to have a geographically balanced way for citizens to attend. She stated that the DART planning team is meeting regularly to discuss all aspects of the changes, and will be sharing the information with the larger community by way of press releases, information handed out on buses, through paid media and whatever methods necessary to explain and educate customers and the wider community.

It was moved by Ms. Hensley and seconded by Ms. Johnson that the Commission approve the staff recommended plan to move forward with the public meetings necessary to meet our obligations to the public, our riders and all constituencies as part of the implementation of the Year One recommendations of the DART Forward Plan.

The motion carried unanimously.

DISCUSSION ITEMS

8A – DART Central Station Update

General Manager Presutti said that due to the excellent weather, construction was proceeding on schedule. Mr. Olson showed photos on the screen of current progress, and Ms. Presutti added that some slight delays were due to supplies and equipment not arriving in a timely manner. She explained that a report to the Federal Transit Administration was included in the packets (attached here) that contain more detail of the current status.

Chair Connolly asked about the progress of the artwork for DART Central Station and Ms. Presutti said that contracts have been signed by the three artists who will be doing the art projects.

8B – FY-2013 DART Budget Development

Ms. Schug listed the current budget assumptions:

Projected Revenues

- 39% from Property Tax levy
- 32% from Operating Revenue (farebox)
- 29% Non-Operating Revenues (federal, state, local and advertising)

Projected Expenses

- 1% increase in employee salaries
- 15% increase in health insurance
- 5% increase in dental insurance
- Workers Comp increases – no word yet

Ms. Schug said that a meeting will be scheduled with the Service and Budget Committee (city managers) prior to the January Commission Meeting. Ms. Hensley asked if the 1% wage increase was for all employees. Ms. Schug said that it is just for the ATU (fixed route) drivers. She said that the Teamsters (Paratransit drivers) had previously negotiated a 3% increase.

8C – December 2011 Performance Reports

The General Manager stated that ridership is up, possibly connected to the unseasonably nice weather.

MONTHLY REPORTS

Operations

Mr. Reynolds announced that DART will be closed Christmas Day, New Years Day and will run weekend service on Monday December 26 and Monday January 2. In addition, he said DART will be providing school service on January 2 to accommodate Des Moines Public Schools which start classes on that date. He described a new service for the D-Line that will run on New Years Eve from 11:00 a.m. and ending 2:00 a.m. New Years morning. Chair Connolly asked if there would be additional service on the night of the Republican caucuses. Mr. Reynolds said that regular evening service will run on that evening, but no special service will be provided. Ms. Hensley commented favorably on the holiday lights that are currently decking the D-Line Trolleys, and asked if there would be any marketing of the additional service for New Years Eve. Ms. Presutti said that in addition to notices in all media, the service was also being marketed through the social media. Ms. Hensley asked if the route was being extended to go up Ingersoll on that evening, and Mr. Reynolds responded that it would stay on its regular route this year, but possibly in future years that would be an option.

Marketing

Ms. Celsi said that DART received word that Broadlawns Medical Center would be expanding its scope and will now be considered a regional medical center and begin accepting patients that would have formerly been sent to University Hospitals in Iowa City, which may influence the marketing of the bus routes that travel to or near that campus. Ms. Celsi also announced that a new customer service database will allow more accurate and detailed reports for staff. Mr. Olson had the sad news that a TRAC member, Paul Bice, had passed away on December 1.

General Manager

Ms. Presutti explained some of the proposed changes to Southridge Mall, and said that staff is involved in the discussions with developers and the city, and will determine the most efficient way to deliver and pick up its passengers as the situation unfolds.

FUTURE AGENDA ITEMS

COMMISSIONER ITEMS

11A - ByLaws

At the November Commission meeting, Mr. Gentry presented the need for an amendment to the Bylaws that needs to be made to provide for an Annual Meeting and a date for the Election of Officers of the Commission. His recommendation was that the June Commission Meeting should be designated as the Annual Meeting, and that the Election of Officers should take place during the June Commission Meeting as well. He explained that the Amendment may be passed at the current meeting with a two-thirds vote of the Commission. The Amendment reads:

“The Annual Meeting of the Board of Commissioners shall be held on the last Tuesday in June of each year. The hour and place of the Annual Meeting shall be fixed by resolution of the Board. The officers of the RTA shall be elected at the Annual Meeting.”

Mr. Brody moved, and Ms. Johnson seconded that Article II, Section 3 of the Bylaws be amended.

The motion carried unanimously.

Mr. Gentry next introduced to the Commission an Amendment to the Bylaws proposed by Commissioner Brody, eliminating Article II, Section 2.C. of the Bylaws:

“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.”

This Amendment will be presented again for two-thirds vote of the Commission at the Commission meeting to be held on February 1, 2012.

Mr. Gentry also discussed some minor changes that need to be made in the Intergovernmental Agreement, including the number of meetings per year of the Commission and regarding the duties of the Secretary to the Commission and the Clerk to the Commission.

11B - DART Commission Redistricting Plan

Ms. Presutti announced that due to Mr. Gentry’s absence in February, Mr. Kyle McCann of the Brick Law Firm will be representing DART.

Mr. McCann explained to the Commission that because of the 2010 census, the State Senate Districts changed, and did in such a way as to make DART’s use of these Senate Districts for its Transit Districts obsolete, thus requiring an amendment of the 28M Agreement to resolve. Mr. McCann said that after research it appears that using House Districts would allow for more future flexibility in

setting the DART districts. Ms. Presutti added that with this change the language in the current 28M Agreement does not correspond. She said that District numbers will be left out of the new language, so we won't have this problem arising after the 2020 census.

In a newly proposed process, the Commission will provide input to the DART Service and Budget Committee, which will then vote for the proposed changes to the 28M Agreement. In order that all the cities understand the process and agree with the new districts, DART staff, legal counsel and Commissioners will talk to all city representatives to make sure all are in agreement.

Ms. Hensley suggested that the Commission vote to approve the new process at the January Commission Meeting in order to allow plenty of time for the explanatory process. Mr. Brody asked what will happen if other communities want to join DART, and Mr. Gentry said in that case, the 28M allows a new District to be created. Chair Connolly announced that a vote will be taken at the next Commission meeting. Mr. Gentry said that he, Ms. Presutti and Mr. McCann will visit face-to-face with any city representatives who may have concerns.

Chair Connolly ended the last meeting of 2011 by saying what an exciting year DART has had, and thanked the Commission and DART staff for an awesome job, and wishes for another awesome year in 2012.

ADJOURNMENT

The meeting was adjourned at 5:45 p.m.

Next Meeting Date:
February 1, 2012

2012 Meeting Dates

February 1, 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

CONSENT ITEM



7A:	DART's Maintenance Shop Floor Epoxy Coating
Action:	Approve a contract with A & B Contracting LLC. for the application of an Anti-Slip Epoxy Coating to Maintenance Shop Floor; Not to Exceed \$140,000.

Staff Resource: Mike Drottz, DART Purchasing Manager

Background:

- DART's Maintenance Shop currently has a 35-year-old concrete floor throughout the maintenance areas, where employees perform repairs and work on DART vehicles and equipment.
- The condition of the floor at best is manageable, numerous failures in the cement as well as the nature of the work performed in these areas have left divits and defects creating a potential safety hazard.
- Applying an epoxy coating includes the repair of these defects and evens out the changes in floor elevation due to settling.
- The "Safe Zones" will be outlined in high-visibility safety yellow to help distinguish where visitors to the shop areas are permitted.
- The scope of work is to prepare and coat 21,257 square feet of surface area. The coating will be 128 mils (approximately 1/8th of an inch) thick once final application is completed.
- The color of the coating will be a reflective anti-slip white that should accomplish two goals:
 - to prevent and reduce potential slips and falls in the shop area.
 - to help reflect more light under the buses when they are in the hoists.

Procurement:

- The procurement for these services was part of the original hoist RFP that was awarded to A & B Contracting LLC. Optional work included and evaluated are epoxy coating of the floor to help prevent slips and falls and the purchase of additional mobile columns for lifting the buses. These two options will only be sought out if funding remains at the end of the initial project completion.
- DART conducted a Request for Proposal for the purchase of an in-ground bus hoist. We received four proposals, and DART conducted best-and-final offer negotiations with all four firms. These are the results of the scoring by our Proposal Evaluation Team.

Firm	Hoist Project Scoring
A & B Contracting LLC.	32.80
ACTERRA Group	27.15
Neumann Builders	30.35
Seneca Companies	28.85

- The cost of the project is \$126,416, the \$140,000 represents a 10% contingency, if unexpected circumstances arise.
- Project completion is slated for Spring 2012.

CONSENT ITEM

7A: DART's Maintenance Shop Floor Epoxy Coating



Funding:

- The project is being funded with a combination of State and Federal grants. DART received a FY2012 State of Iowa Public Transit Infrastructure Grant for \$50,000 and will use FTA 5307 and DART local funds for the remainder of the project (80% federal/state, 20% local). The project was included in the adopted capital plans for FY10 and FY12.
- Concurrence has been received for the Iowa Department of Transportation from Mr. Ryan Ward.

Recommendation:

1. Approve a contract with A & B Contracting LLC. for the application of an Anti-Slip Epoxy Coating to Maintenance Shop Floor; Not to Exceed \$140,000.

CONSENT ITEM



7B:	Utilize Knoll to design, supply and install the Office Furniture at DART Central Station.
Action:	Approve the purchase of goods and services from Knoll, Inc. through a US Communities procurement that includes: creating brand specification, supply and installation of the required office furniture at the new DART Central Station, not to exceed the budget of \$575,000.

Staff Resource: Mike Drottz, DART Purchasing Manager

Background:

- The completion of DART Central Station is slated for early fall 2012, and office furnishings will need to be purchased and installed.
- The office areas must be designed for greatest utility and functionality.
- The goal of the office environment of the new DART Central Station will be designed around durability, consistency and functionality for the end users.
- DART will be working with Knoll to maximize the number of potential LEED points associated with furnishings.

Procurement:

- US Communities is a third party that performs procurement under federal guidelines to assist agencies in expediting procurement on common items, from parts to office furniture to home improvement stores. The other benefit they offer is greater savings for the items purchased due to the increased buying power of a national customer base. They issue contracts and maintain them annually.
- DART would be working with the local Knoll distributor, Saxton Inc., which is located at 108 3rd Street, Suite 100, Des Moines, Iowa 50309. Our purchase agreement would be with Knoll and Saxton Inc., which will be on site performing and managing the project.
- The team from Knoll and Saxton have met with DART officials and have committed to procuring the brand of furniture preferred by DART, They have also committed that the creation of brand specification, supply and installation services will not exceed the budget of \$575,000.
- DART is seeking consent to purchase the office furniture via the current US Communities contract in effect until December 31, 2012, prior to beginning the creation of brand specifications for the product.
- Attached is a partial list of other governmental entities that have used US Communities for the purchasing of products.

Funding:

- DART Central Station grant funding.

Partial List of Government Clients on US Communities Contract:

Altoona, Library, Altoona, Iowa

Army Corp of Engineers, Rock Island, Illinois

Cedar Rapids Police Department, Cedar Rapids, Iowa

Clive City Hall, Clive, Iowa

Coralville Library

Defense Logistics

Des Moines Airport, Des Moines, Iowa

Des Moines Public Library, Des Moines, Iowa

Drake University, Des Moines, Iowa

Fayette County

Federal Home Loan Bank, Des Moines, Iowa

Iowa Air Guard, Des Moines, Iowa

Iowa Air National Guard, Des Moines, Iowa

Iowa State University, Ames, Iowa

John Pappajohn Higher Ed Center

Linn County Attorney, Cedar Rapids, Iowa

Linn County Child Support Recovery, Cedar Rapids, Iowa

Linn County Human Services, Cedar Rapids, Iowa

Linn County Lifts, Cedar Rapids, Iowa

Linn County Planning, Cedar Rapids, Iowa

Linn County Youth Services, Cedar Rapids, Iowa

Mercy College, Des Moines, Iowa

Options of Linn County

Rock Island Arsenal, Rock Island, Illinois

Story County Court House, Nevada, Iowa

Story County Engineering Facility, Nevada, Iowa

Story County Human Services Building, Ames, Iowa

UNI, Cedar Falls, Iowa

University of Iowa, Iowa City, Iowa

University of Iowa Cancer Center

University of Iowa Public Health

US Attorneys, Cedar Rapids, Iowa

US Bankruptcy, Cedar Rapids, Iowa

USDA, Ames, Iowa and Des Moines, Iowa

US District Court, Cedar Rapids, Iowa

Veteran's Hospital, Des Moines, Iowa

Veteran's Hospital, Knoxville, Iowa

Warren County Administration Building, Indianola, Iowa

Warren County Courts Building, Indianola, Iowa

Warren County Emergency Management, Indianola, Iowa

CONSENT ITEM



7C:	Fixed Route Replacement Bus Purchase and Hybrid Propulsion Upgrade
Action:	Approve the purchase from Daimler Buses of North America, aka Orion for: 1) One replacement 40-foot bus not to exceed \$416,000. 2) Upgrade of Four 30-Foot Diesel Buses and Two 40-foot Diesel Buses from Daimler Buses of North America, aka Orion to Diesel/Electric Hybrids at a Cost Not to Exceed \$1,250,000.

Staff Resource: Mike Drottz, DART Purchasing Manager

Background:

Fixed Route Bus Purchase

- DART has funds to replace one additional heavy duty diesel bus.
- DART has joined the Minnesota Cooperative Purchasing Agreement for the purchase of this bus. DART's current bus contract has expired.
- DART will purchase one 40-foot diesel bus at a cost not to exceed \$416,000 each.
- DART has purchased 57 heavy-duty transit buses from Daimler Buses of North America on a total of six occasions since 2006. These purchases are comprised of a total of 56 forty-foot diesel and one forty-foot diesel/electric hybrid. To date, DART is pleased with the performance of these Orion buses.
- This one new bus will replace a 1998 Gillig bus.

Hybrid Propulsion Upgrade

- DART has received notice that Clean Fuels Funding has awarded DART \$1,250,000 for the upgrade of new diesel buses to diesel hybrid electric buses. The original grant award was for upgrading five buses, however DART was able to receive better pricing than what was estimated in the grant, so we are now able to upgrade six buses with the funds.
- The buses that will be upgraded to the diesel hybrid electric are part of the order for 10 buses that the DART commission approved at its December 2011 meeting.
- The cost per upgrade will not exceed the \$208,333.33 allocation.
- This would bring DART's hybrid fleet count to seven.

Funding:

- *FR Bus Replacement* - Using a combination of remaining funds from MPO-allocated FY2011 Federal STP funds (\$900K), DART's Federal Formula capital funds (\$300,000), FY2011 State of Good Repair Funds (\$2,101,560) plus budgeted local match dollars.
- *Hybrid Propulsion Upgrade* - DART received funding from FTA's FY2011 Clean Fuels program (5308) to cover 90 percent of the costs of the upgrade with the remaining 10 percent match coming from local property tax dollars (funded depreciation).

CONSENT ITEM

7C: Fixed Route Replacement Bus Purchase and Hybrid Propulsion Upgrade



Recommendation:

1. Approve the purchase from Daimler Buses of North America, aka Orion for:
 - One replacement 40-foot bus not to exceed \$416,000.
 - Upgrade of Four 30-Foot Diesel Buses and Two 40-foot Diesel Buses from Daimler Buses of North America, aka Orion to Diesel/Electric Hybrids at a Cost Not to Exceed \$1,250,000.

CONSENT ITEM



7D:	Paratransit and On-Call Replacement Bus Purchase
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Action:	Approve the purchase of four new cutaway buses to replace buses for Paratransit and one new cutaway bus for the On-Call fleet from Thomas Bus Sales of Iowa via their contract with the Iowa DOT. This order shall not exceed \$305,000.
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Staff Resource: Mike Drottz, DART Purchasing Manager

Background:

- Four of DART's ParaTransit smaller body-on-chassis or "cutaway" buses are now approaching the end of their useful lives and are slated for replacement.
- One of DART's On-Call cutaway buses is approaching the end of its useful life and has been slated for replacement.
- The timing of this order is in direct correlation to the installation of the new AVL/RTIS project later this summer..
- DART is able to participate in a competitively procured contract that the Iowa DOT has with Thomas Bus Sales of Iowa for these types of buses through DART's relationship with the Heart of Iowa Regional Transit Authority (HIRTA), the regional transit system for the counties surrounding Polk County. DART's maintenance staff have inspected and accepted several new Thomas Bus cutaways on behalf of HIRTA over the past year and know the bus to be a quality vehicle.

Procurement:

- The Iowa DOT completed a competitive procurement for these smaller cutaway buses that allows any transit system in Iowa to purchase via the contract.
- DART will specify the buses to meet DART's Paratransit and On-Call service guidelines, and it is anticipated the final price per bus will be less than \$61,000 per vehicle.
- It is anticipated that DART will receive the five units in five to six months following approval.

Funding:

- These five buses are being funded with FY2012 FTA 5307 and IDOT (FTA 5310) Funds at 83 percent and matched with 17 percent in local property tax dollars as specified in DART's adopted FY2012 budget.

Recommendation:

- Approve the purchase of four new cutaway buses from Thomas Bus Sales, not to exceed \$305,000.

CONSENT ITEM



7E: December FY2012 Consolidated Financial Report

Action: Approve the December FY2012 Consolidated Financial Report

Staff Resource: Jamie Schug, Chief Financial Officer

Year-to-Date Budget Highlights:

Revenue:

- Fixed Route Operating Revenue for the first six months of FY2012 is greater than budgeted by \$278,757. It is anticipated that fixed route operating revenue will end the year near budgeted levels.
- Fixed Route Non-Operating Revenue is nearly 2% better than budget for the first six months of FY2012. State Transit Assistance (STA) is trending 8% better than budget year to date. STA funding is derived from 4% of the fees for new registration collected on sales of motor vehicles and accessory equipment.
- Paratransit Operating Revenue is approximately 23% below budgetary expectations through half the fiscal year. Paratransit ridership year to date is considerably less than last fiscal year. With fewer trips, Medicaid reimbursements are below budgeted levels.
- Rideshare Revenues are 4% above budgetary expectations through six months of the fiscal year due to the fare increase that was effective with the October invoices.

Operating Expense:

- Fixed Route Budget Summary – Through six months, actual expenses are within budgeted levels, with total Fixed Route expenses 3% below budget. The majority of the savings are in the area of fuels and lubricants.
- Paratransit Budget Summary – Through six months of the fiscal year, the Paratransit program has expenses lower than budgeted. The lower than budgeted operating expenses have not been able to make up for the decrease in operating revenue. Year to date, the Paratransit program is showing a deficit of \$98,432.
- Rideshare Expenses are approximately 10% below budgetary expectations through the first half of the fiscal year. The savings are primarily in the area of equipment repair parts, which is 61% below budget.

**** TOTAL Un-Audited Year-End December FY2012 as Compared to Budget :**

Fixed Route	\$ 687,698	Reserve For Accidents (See Balance Sheet):
Paratransit	\$ - 98,432	FY2012 - \$1,179,415
Rideshare	\$ 82,193	
Total	\$ 671,459	

FY2012 Financials:

December 2011

FIXED ROUTE	December 2011			Year-To-Date-(6) Months Ending 12/31/2011		
	Actual	Budgeted	Variance	Actual	Budgeted	Variance
Operating Revenue	369,837	344,706	25,131	2,346,993	2,068,236	278,757
Non-Operating Revenue	1,149,805	1,135,760	14,045	6,938,407	6,814,560	123,847
Subtotal	1,519,642	1,480,466	39,176	9,285,399	8,882,796	402,603
Operating Expenses	1,425,318	1,545,384	120,066	8,859,474	9,144,569	285,095
Gain/(Loss)	94,324	(64,918)	159,242	425,925	(261,773)	687,698

PARATRANSIT	December 2011			Year-To-Date-(6) Months Ending 12/31/2011		
	Actual	Budgeted	Variance	Actual	Budgeted	Variance
Operating Revenue	183,772	252,895	(69,123)	1,164,806	1,517,370	(352,564)
Non-Operating Revenue	58,130	64,982	(6,852)	410,880	389,892	20,988
Subtotal	241,902	317,877	(75,975)	1,575,685	1,907,262	(331,577)
Operating Expenses	274,774	316,190	41,416	1,663,995	1,897,140	233,145
Gain/(Loss)	(32,871)	1,687	(34,558)	(88,310)	10,122	(98,432)

RIDESHARE	December 2011			Year-To-Date-(6) Months Ending 12/31/2011		
	Actual	Budgeted	Variance	Actual	Budgeted	Variance
Operating Revenue	85,866	79,166	6,700	494,472	474,996	19,476
Non-Operating Revenue	-	-	-	15	-	15
Subtotal	85,866	79,166	6,700	494,487	474,996	19,491
Operating Expenses	83,740	99,399	15,659	533,692	596,394	62,702
Gain/(Loss)	2,126	(20,233)	22,359	(39,205)	(121,398)	82,193

ACTION ITEM



8A:	DART Central Station Construction Change Order and Project Update
Action:	Approve Change Order #2 with The Weitz Company for the construction of DART Central Station in the amount of \$376,342.

Staff Resource: Elizabeth Presutti, General Manager

Background:

- 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.

Change Order #2:

- 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.
- The table below outlines all of the various elements included in change order #2, with the bulk of the change order relating to rubble removal and excavation on the south side of the site.

ITEM		AMOUNT
CLI 009	Foundation and GFRC revisions at North side walk	\$8,665.00
CLI 016	Rubble removal and over excavation on south side of site	\$362,723.00
CLI 019	Revise 2nd Floor slab thickness to 5-1/2"	\$1,680.00
CLI 23	Revisions to street light / traffic signals per City of Des Moines	\$2,323.00
CLI 24	6th and Cherry Utility conflicts during construction	\$11,793.00
CLI 026	Removal of Rock Aggregate Piers	-\$40,000.00
CLI 032	Screen wall delete structure for Artist work	-\$46,635.00
CLI 056	Micropile revisions at south side of site due to rubble	\$59,337.00
CLI 057	Add vandal resistant fixtures to elevator specification	\$2,045.00
CLI 067	Revise Hand Dryers to Dyson Airblades in lieu of ExClerator	\$7,523.00
CLI 045	Stair Framing Revisions	\$1,270.00
CLI 046	Steel beam in shaft relocation	\$435.00
CLI 050	Shop drawing revision for steel	\$182.00
CLI 051	Steel at stair opening revision	\$455.00
CLI 015	Door frames at elevator openings	\$4,546.00
TOTAL		\$376,342.00

ACTION ITEM

8A: DART Central Station Construction Change Order and Project Update



Project Update:

- The December monthly report submitted to the Federal Transit Administration is attached, highlighting the project status.
- Both Mark Trost, DART's Owner's Representative, and Todd Garner from Substance Architecture will be at the meeting to answer any questions.

Recommendation:

1. Approve Change Order #2 with The Weitz Company for the construction of DART Central Station in the amount of \$376,342.



PROJECT OVERVIEW

The DART Central Station will serve as the spine of the transit system throughout Greater Des Moines. The facility is designed to gather public transportation services (local bus, express bus, bikes, future passenger rail, taxi services, intercity bus services) into one location. The DART Central Station will offer:

- a climate-controlled building
- 15 saw-tooth bays with covered walkways
- public waiting areas and restrooms
- a customer service center
- bike storage and changing room
- vendor space
- employee restrooms and showers
- management and administrative offices
- public art

The DART Central Station will be a unique facility that embodies the local commitment to public transit and exhibits DART's concern for the environment through its efficient design.

In addition, it is being designed to meet at least LEED Certified Gold requirements and will be an example of energy conservation and storm water management for the region.

Project Webcam: <https://mds.multivista.com/webcam/18744/index.html>

CONSTRUCTION (WEITZ COMPANY CONSTRUCTION CONTRACT)

Construction Work and Submittals:

- 1) The following **construction activities have been completed or were in process** during the month of **DECEMBER 2011**.
 - Rough grading of site.
 - Uncovering of existing utilities.
 - Installation of new site utilities including the storm sewer, cistern, and drain tile.
 - Installation of geo-thermal wells and headers.
 - Removal of unsuitable material.
 - Import of suitable fill.
 - Basement walls.
 - Installation of building footings.
 - Installation Middle Canopy footings.

- Installation of drainage tile.
 - Installation of geo-thermal well header lines.
 - Installation of micro-piles.
 - Installation of hydrants on the South half.
 - Steel erection has started.
- 2) The following **construction work is anticipated** during the month of **JANUARY 2012**:
- On-going installation of new site utilities including sanitary, water and storm.
 - Underground electrical installation.
 - Installation of the elevator shaft.
 - Steel erection at Building will be nearly complete.
 - Steel erection will start at canopies.
 - Installation of temporary gas service.
 - Slab pours will begin.
- 3) The following **shop drawings/submittals were approved** in the month of **DECEMBER 2011**:
- Pre-cast Manufacturer Qualification data
 - Steel framing Sequences (on-going)
 - Steel deck submittals
 - On-going LEED-Documentation
 - Low voltage Distribution product data
 - Silicone joint sealant
 - Misc. Product Data
 - Welding certificates
 - Fire protection data
 - Snow melting system data
 - Building Management and Control system product data
 - Concrete paving curing compound data
 - Granite pavers samples
- 4) The following **shop drawings/submittals are anticipated (or under continued review)** in the month of **JANUARY 2012**:
- Decorative metal railing bracket submittals
 - Polished concrete submittals
 - Structural sealant at curtain walls
 - Photovoltaic Power System power data
 - Foundation and landscaping subdrainage



Safety:

There were no safety issues during the past month. Weitz has held safety meetings with their subcontractors as work begins. Weitz has placed the job site boundary fencing to secure the site. Weitz has placed shoring long the North side of the site to allow for the safe excavation of the basement and installation of utilities along Cherry Street.

Construction Schedule:

To date, the project is scheduled for a late September to early October, 2012 substantial completion. Delays in projected curtain wall delivery have pushed the schedule into the contingency schedule. It is anticipated that the schedule will improve as delivery dates are solidified.

Payment Applications:

Pay application # 4 was submitted and approved in the amount of \$ 1,542,040 (after retainage).

Change Orders:

1) No change orders were approved during the month of **DECEMBER 2011:**

TOTAL \$0.00

DART COMMISSION AUTHORIZATION	\$16,395,500.00
WEITZ BASE BID WITH ALTERNATES	\$15,137,960.00
<i>Weitz Base Bid</i>	<i>\$14,682,000.00</i>
<i>Alternates and Geothermal Wells</i>	<i>\$455,960.00</i>
CONTINGENCY	\$1,257,540.00
Approved Change Orders Prior Months	\$77,752.00
Approved Change Orders This Month	\$0.00
TOTAL CHANGE ORDERS TO DATE	\$77,752.00
REMAINING CONTINGENCY	\$1,179,788.00

2) The following are **potential change orders** during the month of **JANUARY 2011:**

- A Change Order will likely be issued in January consolidating a number of CLI's including the rubble removal and suitable fill import, which is under review.

Davis Bacon:

Davis-Bacon interviews continue. Davis-Bacon training was conducted with the site subs during the site pull session.

Project Issues:

No new unforeseen conditions were uncovered in December. Unusually warm and dry weather has allowed for a steady pace of construction.



OTHER PROJECT ACTIVITIES

Public Art:

The Public Art Selection Committee has selected 3 artists to work with on the DART Central Station. The artists are:

- Lynn Basa
- David Dahlquist
- Troy Corliss

The artists are working to finalize their concept designs. DART staff is working on final design and fabrication contracts with the artists.

Joint Development:

The listing agreement is in place with Shannon Morton and Aaron Hyde of Ferguson Commercial Real Estate. Work has started in earnest to obtain a tenant for the vendor space.

ATTACHMENTS

- OAC Meeting Minutes 12/6/11, including a 6 week look ahead schedule.
- OAC Meeting Minutes 12/20/11, including a 6 week look ahead schedule.

ACTION ITEM



8B: FY2013 Proposed Budget

- Action:**
- 1. Authorize the Publishing of the FY2013 DART Tax Levy**
 - 2. Approve a Public Hearing on the FY2013 Budget and Published Tax Levies**

Staff Resource: Elizabeth Presutti, General Manager
Jamie Schug, Chief Financial Officer

Background:

- A presentation will be made at the Commission meeting further outlining the details associated with the proposed FY2013 Budget.
 - Preliminary estimates of this budget have been presented to the DART Commission at each of their last three meetings.
 - A workshop was held with Commission members on January 25th where staff explained the proposed FY2013 Budget in detail.

Budget:

- Over the last year, DART has worked to establish a growth plan for the future as part of the DART Forward 2035 planning process. In September 2011, the DART Commission adopted the DART Forward 2035 Plan.
- 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.

ACTION ITEM
8B: FY2013 DART Proposed Budget



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.

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
5:00 P.M.
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.

Recommendation:

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.

ACTION ITEM



8C: University/Ingersoll Corridor Locally Preferred Alternative

Action: Approval of University/Ingersoll Corridor Locally Preferred Alternative

Staff Resource: Elizabeth Presutti, General Manager
Gunnar Olson, Public Information Officer

Background:

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.

Definition of “Locally Preferred Alternative”

The FTA places a high priority on projects that are supported by the community, favoring projects such as DART’s that were developed with help from the public. The goal is to work with the community to develop what is called a “Locally Preferred Alternative.” In effect, the Locally Preferred Alternative is a conceptual plan for the type of service to be developed along the selected corridor.

Summary of University/Ingersoll Corridor Locally Preferred Alternative

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.

Features include:

- Stations with:
 - Shelters
 - Benches
 - Lighting
 - Real-time arrival signs
 - Service schedule
- Hybrid buses
- Signal prioritization at 16 intersections
- Queue Jumps at 4 key intersections
- Minimal impact to on-street parking
- Specialized BRT branding

ACTION ITEM

8C: University/Ingersoll Corridor Locally Preferred Alternative



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.

A detailed explanation of the University/Ingersoll Loop alternative will be provided at the DART Commission meeting.

Recommendation:

1. Approve the Locally Preferred Alternative (LPA) for the University/Ingersoll Corridor.

DISCUSSION ITEM



9B:	Severe Weather Communications Plan
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Staff Resource: Gunnar Olson, Public Information Officer

- A presentation on DART's Severe Weather Communication will be given at the meeting.

DISCUSSION ITEM



9B: Quarterly Safety Report

Staff Resource: Mike Kaiser, Service Management Manager

Analysis of accidents for the 2nd Quarter of FY2011:

ACCIDENTS BY TYPE:	2nd QTR <u>FY12</u>	2nd QTR <u>FY 11</u>	YTD <u>FY12</u>	YTD <u>FY 11</u>
BUS INTO FIXED OBJECT	12	14	18	20
PERSONAL INJURY	1	0	1	0
BUS INTO VEHICLE	4	4	9	9
VEHICLE INTO BUS	8	18	18	28
OTHER	3	5	4	6
MAINTENANCE	0	0	0	0
VANDALISM	0	0	0	0
TOTALS	28	41	50	63

ACCIDENTS BY ROUTE:	2nd QTR <u>FY12</u>	2nd QTR <u>FY11</u>	YTD <u>FY12</u>	YTD <u>FY11</u>
#1 - WDM/FAIRGROUNDS	1	1	1	1
#3 - UNIV/HIGH OAK PARK	4	6	9	11
#4 - URBANDALE/E 14TH	0	2	1	3
#5 - CLARK/E 6TH & 9TH	0	2	0	2
#6 - DOUG/IND HEIGHTS	3	3	4	4
#7 - FORT DSM/WALKER	3	1	3	1
#8 - HAVENS/S UNION	1	0	1	0
#9 - EXPRESSES	1	1	4	4
#10 - PLEASANT HILL	0	0	0	0
#11 - JORDAN CREEK	0	3	0	3
#12 - CHRTR/ON PROPERTY	3	2	3	2
#13 - PARK AVENUE	0	0	0	0
#40 - LINK	0	2	2	4
#42 STATE CAPITAL/D-LINE	0	1	0	1
#SS - SCHOOL ROUTES	3	2	3	2
#20 - PARATRANSIT	4	7	8	11
#R - RIDESHARE	5	7	8	10
#A- ADMIN	0	1	1	2
SF- STATE FAIR	0	0	1	1
Training	0	0	1	1
TOTALS	28	41	50	63

DISCUSSION ITEM
9B: Quarterly Safety Report



ACCIDENTS BY CHARGEABILITY
CODE:

	2nd QTR	2nd QTR	YTD	YTD
	<u>FY12</u>	<u>FY11</u>	<u>FY12</u>	<u>FY11</u>
NON PREVENTABLE	7	20	16	29
PREVENTABLE	16	14	26	24
NOT GRADED	5	7	8	10
TOTALS	28	41	50	63



System Summary Performance Report December 2011

	June 2011	July 2011	August 2011	September 2011	October 2011	November 2011	December 2011	December 2010	Percent Change 2011/2010	FY12 Year To Date	FY11 Year To Date	Percent YTD Change 2012/2011
DART Fixed Route												
Total Ridership	282,469	255,873	512,290	356,835	367,460	336,186	312,636	278,278	12.35%	2,141,280	1,910,822	12.06%
OTT Ridership	19,147	18,637	21,029	20,533	20,793	15,987	18,218	16,718	8.97%	115,197	104,048	10.72%
Unlimited Access Ridership	36,119	31,979	40,065	39,324	37,998	34,747	31,882	40,709	-21.68%	215,995	261,387	-17.37%
Bike Rack Usage	4,646	5,046	5,692	4,898	4,777	2,858	2,034	1,316	54.56%	25,305	20,345	24.38%
Passengers/Revenue Hour	18.67	17.40	32.64	24.35	21.83	21.26	19.09	18.52	3.07%	22.76	8.52	167.28%
Avg. Passengers Weekday	11,815	11,329	21,000	15,742	15,884	15,548	13,665	13,079	4.48%	15,648	13,737	13.91%
Avg. Passengers Weekend Day	2,817	2,930	3,663	3,281	3,390	2,804	2,851	1,669	70.82%	3,141	3,521	-10.77%
Complaints/100,000 Riders	33.63	31.27	27.33	43.16	25.85	27.66	0.00	17.97	-100.00%	26.25	26.69	-1.66%
Commendations/100,000 Riders	3.19	3.52	3.32	2.52	4.90	1.78	0.00	3.23	-100.00%	2.76	2.72	1.25%
Accident Frequency Rate by Service:												
Preventable/100,000 Miles	0.52	3.34	0.49	1.79	1.77	1.85	2.06	1.53	0.00%	1.60	1.34	19.21%
Non-Preventable/100,000 Miles	2.07	0.00	1.98	0.00	0.88	0.46	1.03	5.09	0.00%	0.42	1.10	-61.76%
Maintenance:												
Total Miles Operated	192,820	179,751	202,257	223,473	226,339	215,644	194,536	196,375	-0.94%	1,242,000	1,189,689	4.40%
Road Calls/100,000 Miles	20.23	34.49	23.73	17.45	12.81	18.09	14.91	21.90	-31.92%	20.53	20.43	0.52%
Active Vehicles in Fleet	130	129	129	129	129	129	113	130	-13.08%	126	119	6.01%
DART Paratransit												
Total Ridership	12,593	11,590	13,559	13,130	12,392	11,680	11,609	11,918	-2.59%	73,960	76,993	-3.94%
Passengers/Revenue Hour	3.10	3.08	3.14	3.19	3.04	3.10	3.03	3.02	0.33%	3.10	3.10	-0.16%
Average Trip Length	6.09	5.87	5.73	5.54	5.94	6.01	6.09	6.07	0.39%	5.59	5.58	0.13%
Accident Frequency Rate by Service:												
Preventable/100,000 Miles	1.35	1.55	1.35	0.00	2.84	0.00	1.47	2.95	-50.26%	1.21	0.93	29.95%
Non-Preventable/100,000 Miles	1.35	0.00	0.00	0.00	1.42	0.00	0.00	0.00	0.00%	0.24	0.70	-65.35%
Maintenance:												
Total Miles Operated	73,847	64,374	73,808	69,414	70,326	67,176	68,040	67,684	0.53%	413,138	429,514	-3.81%
Active Vehicles in Fleet	29	29	29	29	29	29	29	29	0.00%	29	29	0.00%
DART RideShare												
Total Ridership	25,331	21,854	25,904	23,098	23,592	22,784	22,218	21,978	1.09%	139,450	134,296	3.84%
Total Vans in Circulation	96	98	98	97	96	96	95	93	2.15%	97	94	2.65%
Total RidesShare Customers	885	894	889	867	877	884	868	822	5.60%	880	819	7.47%
Accident Frequency Rate by Service:												
Preventable	0.00	0.00	0.00	0.00	0.00	0.61	0.00	0.00	0.00%	0.00	0.00	0.00%
Non-Preventable	0.00	0.00	1.57	1.70	0.00	0.00	0.00	0.00	#DIV/0!	0.00	0.58	-100.00%
Maintenance:												
Total Miles Operated	181,923	165,939	191,112	176,100	173,981	165,274	168,921	167,901	0.61%	1,041,327	1,033,838	0.72%
Active Vehicles in Fleet	116	116	116	116	99	99	99	116	-14.66%	108	113	-5.01%



System Performance Ridership Report December 2011

	June 2011	July 2011	August 2011	September 2011	October 2011	November 2011	December 2011	December 2010	Percent Change 2011/2010	FY12 Year To Date	FY011 Year To Date	Percent YTD Change 2012/2011
DART Fixed Route Ridership	282,469	255,873	512,290	356,835	367,460	336,186	312,636	278,278	12.35%	2,141,280	1,910,822	12.06%
Local Routes:												
#1 - Fairgrounds	13,325	12,347	221,083	21,105	20,943	19,212	17,074	15,032	13.58%	311,764	255,907	76.00%
#3 - University	62,434	58,102	69,116	76,380	78,670	72,406	69,258	56,603	22.36%	423,932	371,381	14.15%
#4 - Urbandale	25,816	23,062	29,311	34,910	35,605	32,526	31,058	26,832	15.75%	186,472	170,308	9.49%
#5 - Clark	13,488	12,649	14,553	17,467	18,443	17,217	15,300	14,314	6.89%	95,629	88,068	8.59%
#6 - Douglas	43,747	39,149	46,401	56,636	59,458	52,601	49,032	42,422	15.58%	303,277	258,588	17.28%
#7 - Ft. Des Moines	37,616	34,525	40,423	47,645	49,792	44,768	43,138	34,879	23.68%	260,291	221,699	17.41%
#8 - South Union	8,277	8,476	10,857	14,206	15,505	14,355	11,153	7,426	50.19%	74,552	47,785	56.02%
#11 - Ingersoll/WDM	19,829	17,026	19,365	18,535	21,458	19,269	18,508	20,635	-10.31%	114,161	124,928	-8.62%
#13 - SE Park Ave.	1,446	548	2,690	7,812	7,195	6,537	5,162	5,938	-13.07%	29,944	30,910	-3.13%
#71 - Ankeny/Delaware**	884	932	965	967	1,029	911	951	651	46.08%	5,755	5,503	4.58%
Shuttle Routes:												
Link Shuttle	1,401	1,381	1,500	1,239	1,276	1,193	1,098	1,513	-27.43%	7,687	9,720	-20.92%
Dline	18,274	17,096	17,821	16,824	15,854	14,936	14,861	15,398	-3.49%	97,392	102,195	-4.70%
DMACC	148	122	122	237	164	164	77	102	-24.51%	886	910	-2.64%
Lincoln/McCombs	1,156	0	2,496	9,753	8,166	8,397	6,314	6,736	0.00%	35,126	36,173	-2.89%
Express Routes:												
#90 - Airport South Business Park	816	866	1,073	977	1,123	992	1,032	1,039	-0.67%	6,063	6,081	-0.30%
#91 - Northwest	1,534	1,455	1,630	1,587	1,735	1,646	1,356	1,254	8.13%	9,409	8,187	14.93%
#92 - Urbandale	2,702	2,436	2,760	2,700	2,924	2,687	2,560	2,556	0.16%	16,067	18,330	-12.35%
#93 - NW 86th Express	4,775	4,392	4,741	4,592	4,984	4,455	4,237	3,568	18.75%	27,401	20,691	32.43%
#94 - Westown	1,408	1,184	1,465	1,209	1,311	1,256	1,413	1,287	9.79%	7,838	8,911	-12.04%
#95 - Vista	3,172	2,571	3,221	2,984	3,134	3,035	2,729	2,653	2.86%	17,674	18,344	-3.65%
#96 - E.P. True	3,729	3,550	3,964	3,585	3,614	3,351	3,372	3,092	9.06%	21,436	21,840	-1.85%
#98 - Ankeny	8,053	6,758	8,214	7,328	7,367	7,146	6,194	6,970	-11.13%	43,007	41,046	4.78%
#99 - Altoona	2,716	2,186	2,734	2,604	2,468	2,089	1,926	2,299	-16.22%	14,007	12,850	9.00%
On-Call Routes (Operated by Paratransit):												
On-Call: Ankeny	124	118	224	193	134	171	142	166	-14.46%	982	1,015	-3.25%
On-Call: Des Moines	279	304	430	424	288	355	351	299	17.39%	2,152	1,521	41.49%
On-Call: Urbandale	2,322	2,004	2,316	2,225	2,028	1,895	1,682	2,372	-29.09%	12,150	14,297	-15.02%
On-Call: West Des Moines	1,863	1,564	1,825	1,757	1,894	1,618	1,663	1,687	-1.42%	10,321	9,248	11.60%
On-Call: Clive	795	717	817	817	786	873	906	465	94.84%	4,916	2,964	65.86%
On-Call: REGIONAL	340	353	173	137	112	125	89	90	-1.11%	989	1,422	-30.45%
DART Paratransit Ridership	12,593	11,590	13,559	13,130	12,392	11,680	11,609	11,918	-2.59%	73,960	76,993	-3.94%
Bus/Van	12,120	10,961	12,873	12,521	11,833	11,176	11,173	11,158	0.13%	70,537	71,538	-1.40%
Cab	473	629	686	609	559	504	436	760	-42.63%	3,423	5,455	-37.25%
DART RideShare Ridership	25,331	21,854	25,904	23,098	23,592	22,784	22,218	21,978	3.67%	139,450	134,296	4%
TOTAL RIDERSHIP	320,393	289,317	551,753	393,063	403,444	370,650	346,463	312,174	10.98%	2,354,690	2,122,111	10.96%

MONTHLY REPORT



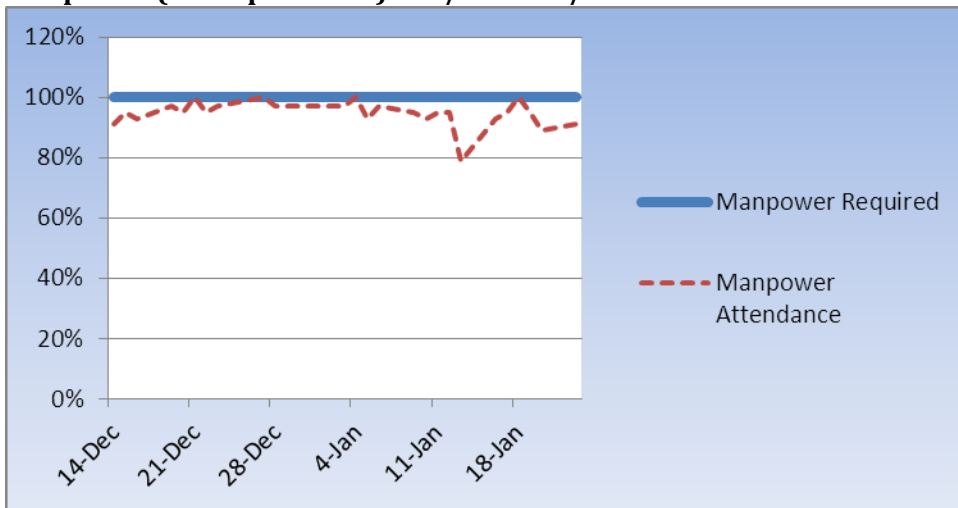
10A: Operations Department

Staff Resources: Tom Reynolds, Chief Operating Officer

Operations Performance:

All Daily Service (Manpower and Vehicle) Requirements were met for this reporting period.

Manpower (Transportation) - 12/13 to 01/23



Vehicle Availability - 12/13 to 01/23

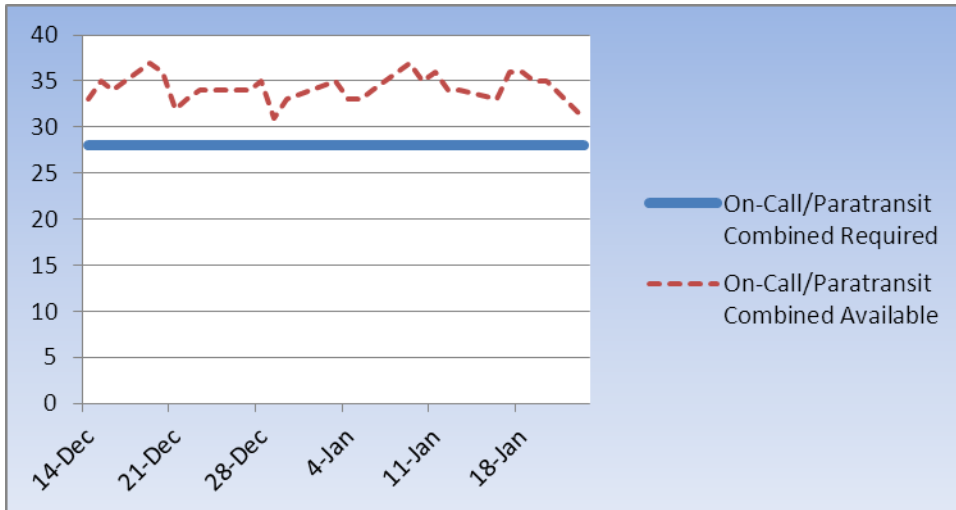
Fixed Route Results:



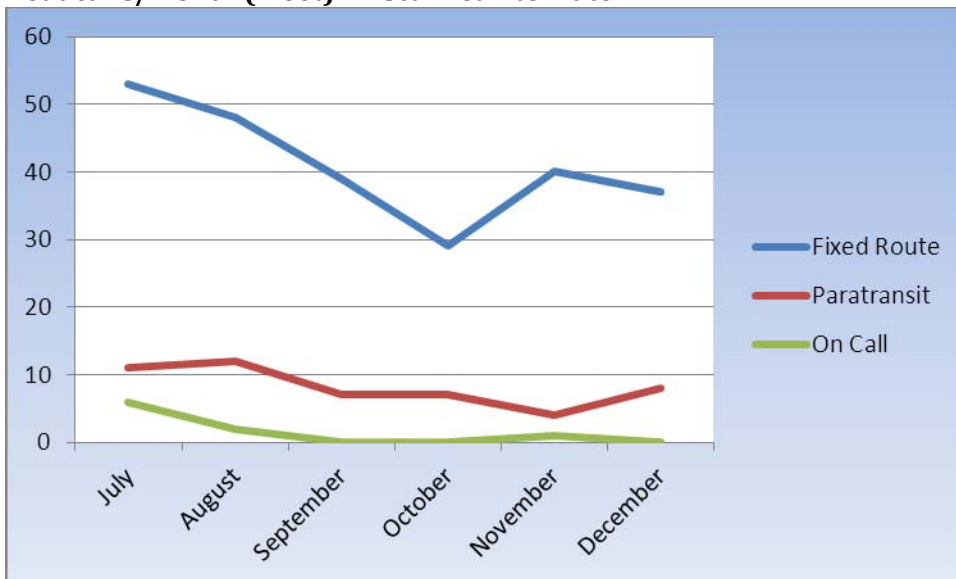
*** Vehicle Availability - 12/13 to 01/23**

Paratransit and On-Call Results:

MONTHLY REPORT
10A: Operations



Roadcalls/Month (Fleet) - Fiscal Year-to-Date



Transportation - Randy McKern, Manager

- The New Year's Eve D-Line Service from 11:00am to 2:00am went very well. Ridership for the two vehicles was 422 customers.
- Park Fair Mall - Buses have a difficult time entering and exiting the mall's center drive and alternative routing is in effect to service the bus shelter. The driveway apron has loose concrete that was damaging the undersides of buses. DART staff tried to determine what avenues mall management was going to do to correct the problem.
- Follow-up with the City revealed that it will be doing a streetscape project on Euclid. The project is in its final design stage and will be let for bid this Spring. The project engineer stated that the problems would be remedied and they will keep DART informed of the progress.

Maintenance - Scott Reed, Senior Manager

- Final production matters are being resolved for two 30-foot Gillig Paratransit buses. Delivery dates will be finalized shortly.
- When DART received its Orion 40-foot buses last year, it was entitled to maintenance training classes. The second half of the training is underway for the technicians working on the PM shift.
- To increase the safety of maintenance employees responding to night-time bus roadcalls, the service trucks were outfitted with additional warning lights, making them more visible to passing traffic.

Service Management - Mike Kaiser, Manager

- On Thursday (01/19/12), Supervisor Warren Polson worked his last day at DART. Warren was on the night shift and did a great job assisting customers and operators alike. His absence will be missed by all of us here in Operations.
- Managers Mike Kaiser and Randy McKern are working with Human Resources to quickly fill the vacancy. A selection should be made prior to the Commission meeting.

Paratransit - Chet Bor, Director

- The December safety meetings covered passenger stops and the special needs of various Paratransit riders. We also covered the Smith System's keys for foul weather driving. Six operators advanced to the next level of the Safe Driving Award.
- We are currently interviewing operators for sub-dispatchers and BTW instructors.

Safety - Chet Bor, Director, Paratransit

- In 2007 during the November-December timeframe, DART experienced 21 preventable accidents. Since DART has committed to use of the Smith System, our early winter accident numbers have dropped by two-thirds or 7.5 total preventable accidents for the same period over the last two years.
- Recently, Fixed Route and Paratransit operators were tested on Smith System winter driving. Of the 114 drivers that were tested, all passed. This is noteworthy in that this marks a total commitment by our operators to the principles of defensive driving contained in this program.

Training - Greg Schmitt, Manager

- Three Paratransit and one Fixed Route operator completed training. There are currently five students in training.
- The quarterly Instructor's Roundtable was held on January 20. Seventeen instructors and staff attended the forum to discuss training methods and techniques. There is an emphasis in upgrading and improving the cadet/line portion of the training program. This is the final element of training in which the new operator is in service with an instructor prior to being released to go solo.

Buildings and Grounds - Jim Garrett, Manager

- Manager Jim Garrett and his staff become very busy with the weather-related chores of salting walkways and moving snow.
- Manager Garrett is working with Weitz Construction on reviewing various aspects of the new DART Central Station design. His input is helpful in identifying potential problems.



10B:	Marketing and Communications, Customer Service and RideShare Departments
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Staff Resource: Claire Celsi, Director of Marketing and Community Partnerships

Marketing Planning: Claire Celsi

Employee research is complete and the marketing plan will be ready for internal staff review by February 10.

Community Outreach: Claire Celsi and Team

The following groups and organizations have been in communication with DART in regard to community outreach opportunities:

- Staff attended TAG Transit Advisory Group (at the MPO). Plans are underway for the April 27 Mobility Matters conference. DART will be conducting a rider training event.
- Meet with “Bike to Work Month” organizers Carl Voss and Tina Mowry to coordinate DART’s involvement in this year’s event.
- Gunnar, Claire, Jamie and Elizabeth attended the Greater Des Moines Partnerships’s Opening Legislative Reception at the World Food Prize building.
- Claire met with Kim Poam of the Metro Arts Alliance to discuss opportunities to partner on Jazz in July.
- Claire and her team are assisting Kum and Go with an employee public transit survey and putting together options for its employees to meet its LEED building goals.
- Claire and team are coordinating several outreach opportunities with fixed route, customer service and paratransit personnel by signing up to attend spring senior fairs and disability events around the metro.
- Our team promoted the New Year’s Eve D-Line and the service provided 442 rides on Dec. 31.

Claire and Elizabeth are scheduling meetings in January and February for the BRT project and work toward the goal of raising our \$5 million local match for the project. So far, the following meetings have been planned:

- Nationwide
- Principal Financial Group
- EMC

Social Media:

DART held its first social media contest and the winner was Chris Seiberling. He won a DART coffee cup, t-shirt and a variety of other treasures from the DART marketing closet.

MONTHLY REPORT

10B: Marketing and Communications, Customer Service and RideShare Departments



Customer Service Report: PJ Sass

December Employer and Group Presentations:

- Principal (3 visits)
- US Committee for Refugees and Immigrants
- Lutheran Services of Iowa
- Linda Dunshee DART Training to 15 people

We have held two training classes for Refugee train the trainer additional classes will be held in January.

November Customer Service Statistics:

- 98 email replies were provided
- 73 complaints were received
- 5 commendations were received

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- DART had 73 comments in the month of November and 5 commendations.
 - Comments regarding “passed up” was up for the month of December. More than half of the calls were made by customers who were not physically at bus stops. With loss of daylight it is more difficult to see the riders at the stops.
 - Out of 73 comments received for November, only 30% were founded.

In December 12, 2011 DART launched the new customer service database (Info-Com). This will allow us to track comments more accurately and provide us with more detailed reporting for all departments, and also give us information as to where training is needed. A COM presentation will be given in February to the Commission.

Customer Service Enhancements:

Info-Agent program was installed and will provide customer-service representatives with more accurate bus-stop information as well as plan customer trips faster and with more specific travel information. This is also the initial step to the Trip planner. Customer service representatives are gathering and reporting schedule anomalies to the planning department to correct any errors before Trip Planner is rolled out to the public.

Public Information and Communications: Gunnar Olson

- Staff welcomed Peggy Chong as the newest member of the Transit Riders Advisory Committee, following her appointment in December by Commissioner Christine Hensley. Peggy is a long-time transit advocate who is known at DART for her role with the National Federation of the Blind of Iowa and her operation of the Newsline, which provides audio versions of news articles and releases by phone. She is a great addition to the committee, offering a unique perspective as someone with limited sight who regularly uses transit. Her first TRAC meeting was Wed. January 11, 2012.

MONTHLY REPORT

10B: Marketing and Communications, Customer Service and RideShare Departments



- Staff worked with Todd Erzen of *The Des Moines Register* on a feature about the capital campaign underway at DART to find a commitment to local match money to develop bus-rapid transit in Greater Des Moines. The article was published Thursday, December 22, and drew public attention to an important DART initiative.
- Unfortunately, the aforementioned article included an error about the future of Route 11. It was reported incorrectly that the route was being discontinued, when that was NOT the case. Route 11 will continue to serve Ingersoll Avenue between downtown and Valley Junction as part of the DART Forward 2035 Services Plan. To mitigate the damage of the error, staff did the following:
 - Contacted Register for online and print correction
 - Alerted Customer Service Members, Dispatch and other key staff members to the error and provided correct information
 - Apprised Commission
 - Posted correct information on DART's Facebook page and Twitter account
 - Emailed all riders with correct information
- Staff worked with Dave Elbert of *The Des Moines Register* on a pair of articles in January. Staff provided a brief update on the construction schedule of DART Central Station for the first article, an overview of big changes in the metro in 2012. This led to a second article, a full-length feature on DART Central Station that was the centerpiece of the Business section on Wednesday, January 11.
- Staff worked with Stephanie Moore of WHO-TV on a feature on the construction of DART Central Station. The segment aired during the 5 p.m. newscast on Thursday, January 12. The segment was not replayed at the 6 p.m. and 10 p.m. newscasts, as originally thought, nor was the video posted to the station's website.
- Staff nominated Chief Financial Officer Jamie Schug to be featured in the "Get to Know" feature on *The Des Moines Register's* Business section. The nomination was accepted and Jamie was featured in the newspaper on Thursday, January 12.
- Staff nominated Jamie Schug for the Des Moines Business Record's Forty Under Forty honor.
- Staff teamed up with the Des Moines School District to script and film a segment of "Classroom Connections," which broadcasts on Mediacom channels 85 and 97-3. Host Sarah Taylor interviewed District Transportation Manager Todd Liston and DART Public Information Officer Gunnar Olson on the long-standing partnership between the district and DART. The new reduced-fare program for students was highlighted. So, too, were the upcoming service changes and related public meetings in February. As of this writing, the segment was set to air regularly in late January and early February. The video will also be indefinitely available for viewing online. Here is the link: <http://youtu.be/iHjjw0h3lHQ>
- Staff planned a series of public meetings on Thursday, January 26, to present the public with the proposal for bus-rapid transit. These were follow-up meetings to those held in October, when staff sought input from the public at the outset of drafting the proposal.
- Staff promoted the January 26 Bus-Rapid transit meetings using all available resources including public relations, media relations, community outreach and postal mailings to our Title VI list.

MONTHLY REPORT

10B: Marketing and Communications, Customer Service and RideShare Departments



- Staff continues to make preparations for the public meetings being held the first full week of February to gather public feedback on the proposed service changes in 2012, as laid out in the DART Forward 2035 Services Plan. These meetings will provide the public an opportunity to influence the final design of the proposed new bus route system before the changes are implemented in June and November of this year. Additional meetings will be held prior to both the June and November service changes in order to educate the public on the changes once they've been finalized.

RideShare:

- DART signed up 13 new riders in the month of December.
- Working on a February marketing campaign for new riders – I ♥ my Commute. A radio spot will be running on the Des Moines Radio group stations during the month of February. (Thank you, Mayor Van Oort for providing your radio voice!)
- Continued working with the accounting department to upgrade the cosmetic look of our invoices on EZPay. The invoices will display DART's logo, due dates and postal zip codes, currently missing from invoices.
- Implementing the partnership with "Drive Time Des Moines," which entails to sharing a login with them in RidePro (our ridematching software). They will now have access to the Ride-Matching website hosted at DART. This will expand the number of potential riders in our database and possibly help with ridership.

DART Advertising Program: Kirstin Baer-Harding

New December Advertisers

- ZLR
- ButlerTill

Other Marketing Events:

DART's photo contest winner is Grandview student Miguel Contreras. He submitted photo of a group on the D-Line trolley was chosen as the winning photos. DART also awarded two honorable mentions. Staff is looking at using the photos in future marketing material. Mr. Contreras stopped by DART to pick up his prize.

10C: Planning Department

Staff Resource: Jim Tishim – Planning Director

AVL/RTIS & Trip Planner Update

- **Paratransit StrataGen - Adept Program Upgrade:**
 - The Paratransit staff completed training on the new version upgrade for the ADEPT scheduling program by StrataGen.
 - StrataGen and DART are working together to move Adept from the test environment to production for everyday use.
- **Trapeze INFO-Com:**
 - The new customer comment database INFO-Com completed the development and testing phases and went live on December 12, 2012.
 - DART staff has developed procedures to finalize each comment.
- **Trapeze Trip Planner INFO-Agent:**
 - Training was completed for the internal Trip Planner INFO-Agent on December 14-16, 2011.
 - The Planning Department completed a major overhaul of every bus stop within our Trapeze FX scheduling program, which ties directly to INFO-Agent. This change was required to make all bus stops identifiable to the Trip Planner, as well as, making them uniform and identifiable to the general public when it becomes part of the DART web site Trip Planner INFO-Web. This process was required prior to the INFO-Agent testing phase. A big thank you to Transit Planner, Steve Swan for completing this project in such a tight time constraint.
 - DART is currently in the testing phase of the program. Schedule Information, Transportation and Planning Department staffs are putting the program through its paces to test origin and destination trip planning, transfers, fare structure and passenger options, etc.
 - An additional factor in the test phase is the upgrade of the GIS maps required for our Trapeze FX scheduling program, Trapeze Trip Planner and AVL/RTIS programs.
 - The current maps in the Trapeze FX scheduling program are 4 years old and currently in the process of being upgraded as part of the AVL/RTIS and Trip Planner projects.
 - Further testing will be required to correct any misalignment of underlined mapping functions in Trapeze FX, once the new maps are in place.
 - The scheduled Go-Live date for INFO-Agent is February 13, 2012.
- **Trapeze INFO-IVR (Interactive Voice Response)Operational Review:**

MONTHLY REPORT

10C: Planning Department



- The INFO-IVR system provides DART customers with 24/7 access to scheduled and real-time bus information.
- The INFO-IVR Operational Review was completed on January 12, 2012.
- Trapeze moved the INFO-IVR program to the development phase.
- Design Network Bill of Materials:
 - All the IT materials and equipment for the AVL/RTIS project were received at Trapeze ITS in Cedar Rapids. They are being assembled for the Factory Acceptance Testing (FAT) taking place on January 31 – February 2, 2012 in Cedar Rapids.
- Mobile Data Terminal (MDT) Bracket Fit Check:
 - Trapeze ITS was at DART on January 9, 2012 to complete a fit check for a new MDT bracket design for the AVL/RTIS project.
 - The new bracket design will make placement of the MDT in each style vehicle more adaptable, without requiring several different forms of brackets for the many vehicle types in our fleet.
 - The fit check was successful. All new vehicle drawings will be required to complete the change.

Special Holiday Services and General Bids:

- The Planning Department completed three special holiday service implementations and bus operator general bids over the past two months:
 - The Day after Thanksgiving: Friday, November 25, 2011
 - The Day after Christmas: Monday, December 26, 2011
 - The Day after New Year's Day: Monday, January 2, 2012
- All three holiday services provided weekend service on the weekdays. However, the Day after New Year's required us to include all the Des Moines Public School services with school resuming after winter break on Monday, January 2, 2012.
- This was a major change from our normal holiday service adjustments requiring a redesign of our Des Moines Public School services. Our weekday service utilizes a majority of our base route system to provide direct access to the Des Moines area Middle and High Schools. Operating weekend service required DART to design individual trips for each school and work directly with each school in order to provide the proper service level, be understandable and work with the Des Moines Public Schools schedule.
- All the information was delivered to each school two weeks prior to their winter break. In addition, DART provided individual handouts designed to inform students and parents on the changes they will see on January 2, 2012 for their route and trip. All the information was publicized and placed on the DART web site well in advance of the service implementation.
- All Bus Operators, Transportation and Schedule Information Staff received all the information in advance in anticipation of all the questions and calls we expected to receive.

MONTHLY REPORT
10C: Planning Department



Environmental System Research Institute (ESRI) – ArcGIS Software

- The Planning Department has acquired a new exciting planning tool. DART purchased four ESRI ArcGIS software programs.
 - ArcEditor
 - ArcView
 - Maplex for ArcGIS
 - ArcGIS Network Analyst
- The Planning Department will now have in-house ArcGIS mapping and analysis capability.
- Transit Planner Steve Swan came to DART with a background in using ArcGIS software. Steve will be receiving additional training on the new programs.

MONTHLY REPORT



10D:	General Manager
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Staff Resource: Elizabeth Presutti, General Manager

A.T.U. Labor Agreement Negotiations:

- The second round of labor negotiations began during a three-day session from January 17 – 19, 2012 with DART’s largest labor union, the Amalgamated Transit Union Local 441.
- Mr. John Bartosiewicz led DART management’s negotiating team. Ms. Janis Borchardt from Madison, Wisconsin is leading ATU’s negotiating team.
- DART’s current one-year contract with the ATU expires June 1, 2012.
- DART and the ATU reached a tentative agreement after mediation for a three-year contract.
- Staff will bring the contract the DART Commission for approval at the February 28, 2012 DART Commission meeting pending ratification by the ATU on February 4, 2012.



Future DART Commission Items February 1, 2012

February 28, 2012 5:00 P.M.	
Action Items	Information Items
<ul style="list-style-type: none"> - FY 2013 Budget Approval - FY 2011 Audit Report - Amalgamated Transit Union Agreement - FY 2013 Grant Approvals 	<ul style="list-style-type: none"> - DART Central Station Update - New Customer Comment System
March 27, 2012 5:00 P.M.	
Action Items	Information Items
<ul style="list-style-type: none"> - FY 2013 Service Improvements 	<ul style="list-style-type: none"> - DART Central Station Update - Transit Riders Advisory Committee Update
April 24, 2012 5:00 P.M.	
Action Items	Information Items
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> - DART Central Station Update - Quarterly Safety Report - State Legislative Update
May 29, 2012 5:00 P.M.	
Action Items	Information Items
<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> - DART Central Station Update - Transit Riders Advisory Committee Update
June 26, 2012 5:00 P.M.	
Action Items	Information Items
<ul style="list-style-type: none"> - Appointment of FY 2013 Officers 	<ul style="list-style-type: none"> - DART Central Station Update

Key Meetings/Dates:

- March 11-13, 2012 – APTA Legislative Conference

Other Future Items:

COMMISSIONER ITEM



12A: Amend DART Commission Bylaws

Action: Approval to Article II, Section 2. C. of the Bylaws

Staff Resource: Elizabeth Presutti, General Manager and Kyle McCann, Legal Counsel

Steps Required to Amend Bylaws:

1. The proposed amendment must be presented in writing at a prior regular meeting of the Commission.
2. Notice of the proposed amendment must be contained in the meeting notice and agenda.
3. 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 is, 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.

COMMISSIONER ITEM



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

Action: Approval of the following:

- 1) Amend the 28E-M Agreement**
- 2) Adopt New DART Commission Districts**

Staff Resource: Elizabeth Presutti, General Manager and Kyle McCann, Legal Counsel

Background:

- According to Article 3, Section 2(b) of the Amended and Restated Agreement for the Des Moines Regional Transit Authority, dated March 1, 2006, as amended by that certain First Amendment to the Amended and Restated Agreement for the Des Moines Regional Transit Authority, dated as of April 1, 2010 (collectively, the “Agreement”), the DART Commission shall consist of nine members.
 - Two of the nine members shall be at-large and shall be selected by the Polk County Board of Supervisors.
 - The remaining seven members of the DART Commission shall be selected in the following manner: seven districts shall be created, with the boundaries of such districts the same as the seven State Senate Districts located in Polk County.
 - As of the effective date of the Agreement, those State Senate Districts were 30, 31, 32, 33, 34, 35, and that part of State Senate District 21 located in Polk County.
 - One member of the Commission and one alternate shall be selected in each district. The following is information relating to the seven State Senate Districts located in Polk County.
 - A map of the current DART Commission Districts is attached.
- 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.

Amendment to the 28E-M Agreement:

- The current 28E-M Agreement language does not take into account the potential for having to modify the districts as a result of redistricting.

COMMISSION ITEM

12B: DART Commission 28E Amendment and Redistricting Plan



- Attached is the proposed amendment to ARTICLE III. ORGANIZATION OF COMMISSION of the 28E-M agreement that reflects the Commission’s ability to modify the districts in the future should they need to be as a result of redistricting.
- DART sent the language as it was provided at the December 2011 DART Commission meeting to all of the City Managers for their review. DART staff and legal counsel have answered all questions and comments that were received.

Proposed DART Commission Redistricting Plan:

- 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.
 - A map of the proposed Commission districts is attached. 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 <i>Cities:</i> Altoona; Bondurant; Carlisle; Des Moines; Elkhart; Mitchellville; Runnells <i>District Population:</i> 61,208 <i>Current Commission Representatives Residing in the District:</i> Skip Conkling
State House District 31 and State House District 32 <i>Cities:</i> Des Moines; Pleasant Hill <i>District Population:</i> 61,165 <i>Current Commission Representatives Residing in the District:</i> Bob Mahaffey and Ted Boesen
State House District 34 and State House District 35 <i>Cities:</i> Des Moines <i>District Population:</i> 60,711 <i>Current Commission Representatives Residing in the District:</i> None
State House District 36 and State House District 41 <i>Cities:</i> Des Moines <i>District Population:</i> 61,098 <i>Current Commission Representatives Residing in the District:</i> 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 <i>Cities:</i> Alleman; Ankeny; Des Moines; Polk City, Sheldahl <i>District Population:</i> 64,685 <i>Current Commission Representatives Residing in the District:</i> Steve Van Oort

COMMISSION ITEM

12B: DART Commission 28E Amendment and Redistricting Plan



Proposed DART Districts
That Portion of the City of Granger located in Polk County; State House District 39, and State House District 40 <i>Cities:</i> Granger; Grimes; Johnston; Urbandale <i>District Population:</i> 60,966 <i>Current Commission Representatives Residing in the District:</i> Tom Gayman
The Polk County Portion of State House District 42 and State House District 43 <i>Cities:</i> Clive; West Des Moines; Windsor Heights <i>District Population:</i> 60,791 <i>Current Commission Representatives Residing in the District:</i> Steve Brody

Recommendation:

Approval to amend the 28E-M Agreement and adopt new DART Commission Districts.

SECOND AMENDMENT TO THE
AMENDED AND RESTATED
AGREEMENT
for the
DES MOINES REGIONAL TRANSIT AUTHORITY

SECOND AMENDMENT TO THE
AMENDED AND RESTATED
AGREEMENT
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THIS SECOND AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR THE DES MOINES REGIONAL TRANSIT AUTHORITY (this “Second Amendment”), is entered into as of the date set forth in Section 102 hereof, by and among the Participating Communities (as defined in the Amended and Restated Agreement for the Des Moines Regional Transit Authority that was filed with the Iowa Secretary of State’s Office on May 25, 2006, as amended (the “Amended and Restated Agreement”)).

W I T N E S S E T H :

WHEREAS, Des Moines Regional Transit Authority (“DART”) operates under the Amended and Restated Agreement, and pursuant to Chapter 28E and Chapter 28M of the Code of Iowa, 2011, as amended (collectively, the “Act”); and

WHEREAS, to better serve the citizens of the Participating Communities and to provide DART with the ability to manage its operations to the full extent permitted by the Act, the Participating Communities desire to further amend the Amended and Restated Agreement; and

WHEREAS, this Second Amendment is entered into pursuant to Article XIV, Section 1, of the Amended and Restated Agreement, to amend Article III, as set forth below; and

WHEREAS, by their respective execution hereof, each of the Participating Communities adopts the changes set forth in this Second Amendment; and

WHEREAS, all acts, conditions and things have been done and performed which are necessary to make this Second Amendment a valid and binding agreement.

Section 101. Amendment to Article III. Pursuant to Article XIV, Section 1 of the Amended and Restated Agreement, the Participating Communities hereby agree to delete Article III in its entirety and replace said Article with the following:

ARTICLE III. ORGANIZATION OF COMMISSION

Section 1. Commission Shall Constitute Governing Body of the RTA. The RTA shall be governed in all matters by the Commission established in this Article.

Section 2. Composition of Commission.

- (a) There shall be nine members of the Commission, but the number of members may be increased pursuant to Article III, Section 2(a)(4) below.

- (1) Two of such members shall be at-large and shall be selected by the Polk County Board of Supervisors. Two alternates shall also be selected by the Polk County Board of Supervisors.
- (2) The remaining members of the Commission shall be selected in the following manner: Seven districts shall be created, with each such district approximately equal in size. District boundary lines shall be established as provided in Article III, Section 2(a)(6) below. One member of the Commission and one alternate shall be selected in each district, by a Selection Committee which shall be created in each such district. The Selection Committee in each district shall consist of the mayor of each city which is located in whole or in part within such district boundaries. Each mayor serving on the Selection Committee may nominate a person to serve as the member of the Commission representing such district. Any nomination of a member or alternate must be approved in advance by the city council of the mayor making such nomination to the Selection Committee. The Selection Committee in each such district, by unanimous vote, shall select one person to serve as a member of the Commission, and one person to serve as an alternate. The member and the alternate may be selected from different cities. In districts that consist of an area located in more than one city and where the Selection Committee cannot agree on a member or alternate by unanimous vote, the Selection Committee's selection of a member or alternate shall be resolved by the use of a weighted vote, in which the mayor of each city is entitled to one vote for each person residing within that part of the city of which they are mayor which is located within the district, according to the most recent U.S. Decennial Census, or more recent U.S. Census in which sufficiently detailed population data is available to determine the population within each RTA district. In districts which are located wholly within one city, the selection of a member and an alternate shall be made by the mayor and confirmed by resolution of the city council.
- (3) To the extent that a city whose boundaries are included within a transit district in Polk County has boundaries which extend into an adjacent county or counties, the boundaries of that transit district shall be expanded to include that part of the city which is located in an adjacent county or counties.
- (4) The Commission shall create a new transit district from a transit district or contiguous transit districts located in part outside of Polk County when the population of that part of a transit district or contiguous transit districts located outside of Polk County exceeds 60,000 according to the most recent U.S. Decennial Census, or more recent U.S. Census in which sufficiently detailed population data is available to determine the population within each RTA district. An additional member of the

Commission shall then be selected in the new transit district following the process described in Article III, Section 2(a)(2).

- (5) If a city that is located wholly outside of Polk County should become a Participating Community, then for purposes of this Article the population of such city shall be added to the nearest transit district, and the boundaries of such transit district shall be extended to include the boundaries of such city. If it is not possible to determine which transit district is “nearest”, then the new Participating Community may select the transit district to which its population shall be added for the purposes of this Agreement.
- (6) Under the Code, legislative redistricting is mandatory immediately following an official U.S. Decennial Census. In the year following an Iowa legislative redistricting and after receiving a recommendation from the Service and Budget Review Committee, the Commission by an affirmative vote of at least two-thirds of the members of the Commission present and voting shall establish new boundaries for the transit districts. Whenever practicable, such districts shall be created using the current State House Districts or State Senate Districts for the boundaries of the cities and counties who are then Participating Communities under this Agreement.

(b) All members of the Commission who are elected officials of Participating Communities shall serve on the Commission during the time they hold office and if such member ceases to hold elected office, their term as a member of the Commission may be terminated at the election of the city council of the Participating Community that the elected official represented on the Commission, and the vacancy shall be filled as provided in Article III, Section 2(a)(2) above. All members of the Commission who are not elected officials of a Participating Community shall serve the regular term of appointment. The term of office of any member of the Commission shall immediately terminate if such member ceases to permanently reside within the district which the member represents on the Commission.

(c) Members appointed to the Commission shall be appointed to four-year terms of office. A description of the boundaries of the RTA district is attached to this Agreement as Exhibit A.

Section 102. Effective Date. This Second Amendment is effective as of its date of execution by the last of the Participating Communities, which date shall be manually entered on the line set forth below.

Effective Date of Second Amendment: _____.

Attest: City of _____

By: _____ By: _____

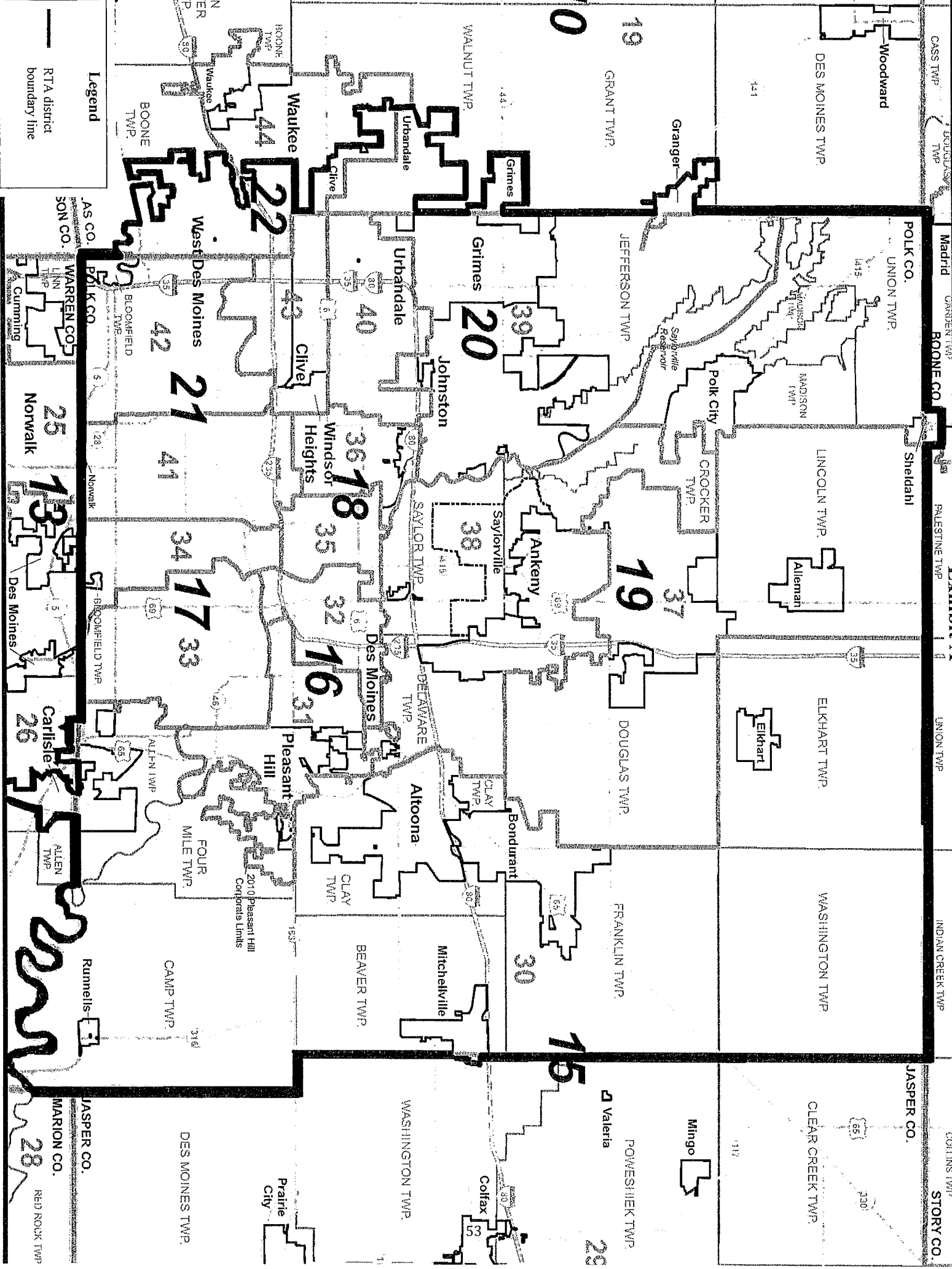
STATE OF IOWA, COUNTY OF POLK, ss:

On the ____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of _____, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation, and that said instrument was signed and contained in the Resolution adopted by the City Council of _____ on the _____ day of _____, 20____, and the said Mayor and City Clerk acknowledged that execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said municipal corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

Seal & Notarial Commission Expiration Date:

Exhibit A



Legend

RTA district boundary line

CASS TWP
EQUUSCLAW TWP
MADRID TWP
GRANT TWP
BOONE CO.
UNION TWP
PALESTINE TWP
UNION TWP
INDIAN CREEK TWP
STORY CO.

WOODWARD
DES MOINES TWP
POLK CO.
UNION TWP
MADISON TWP
LINCOLN TWP
SHELDALI
ALLEMAN
ELKHART TWP
WASHINGTON TWP
JASPER CO.

GRANGER
JEFFERSON TWP
POLK CITY
CROCKER TWP
DOUGLAS TWP
FRANKLIN TWP
MINGO
POWESHIEK TWP
VALERIA

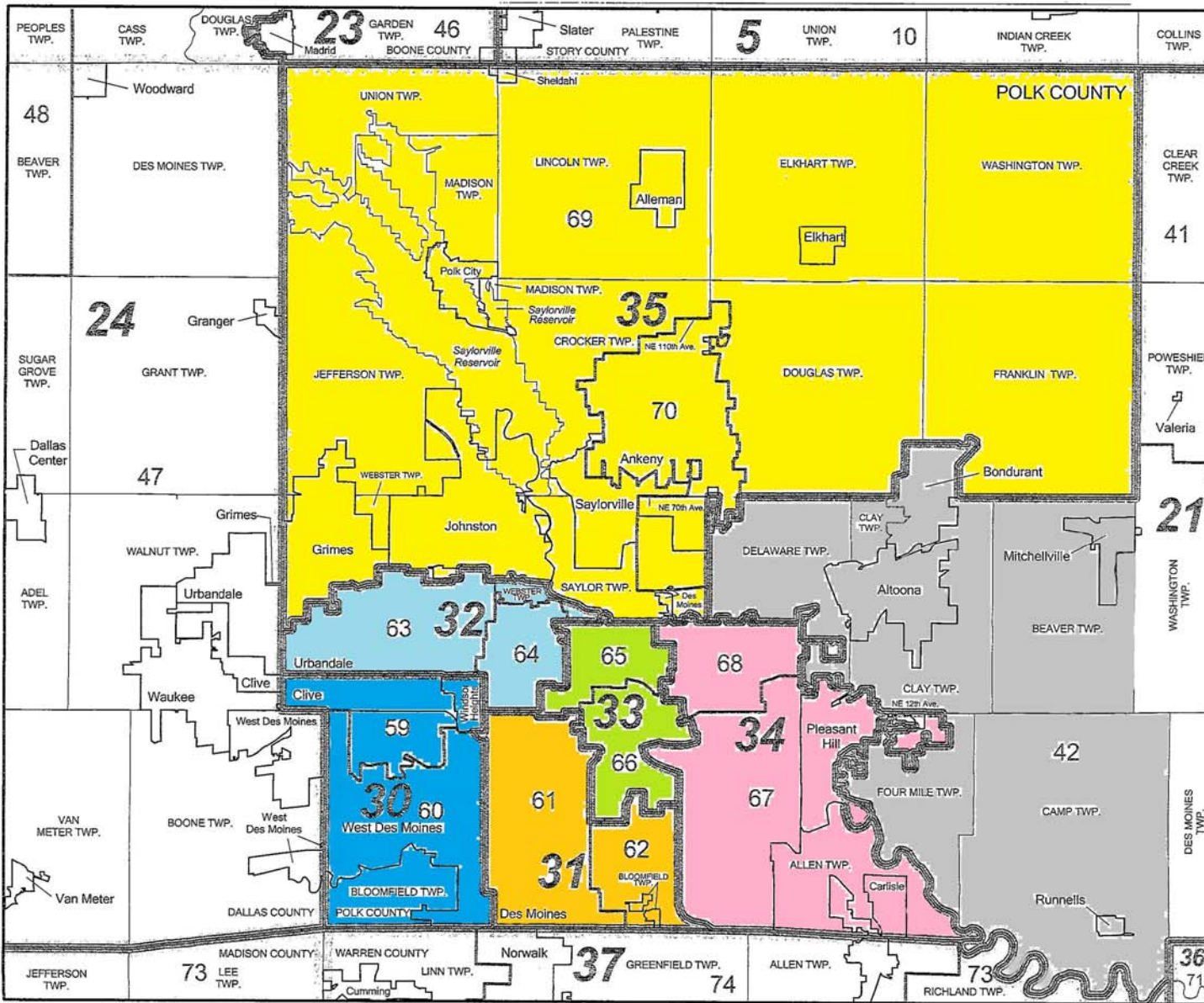
GRIMES
URBANDALE
JOHNSTON
SAYLOR TWP
ANKENY
SAYLORVILLE
BONDURANT
CLAY TWP
MITCHELLEVILLE
WASHINGTON TWP
COLFAX

URBANDALE
CLIVE
WINDSOR HEIGHTS
DES MOINES
ALKOONA
BEAVER TWP
PRAIRIE CITY

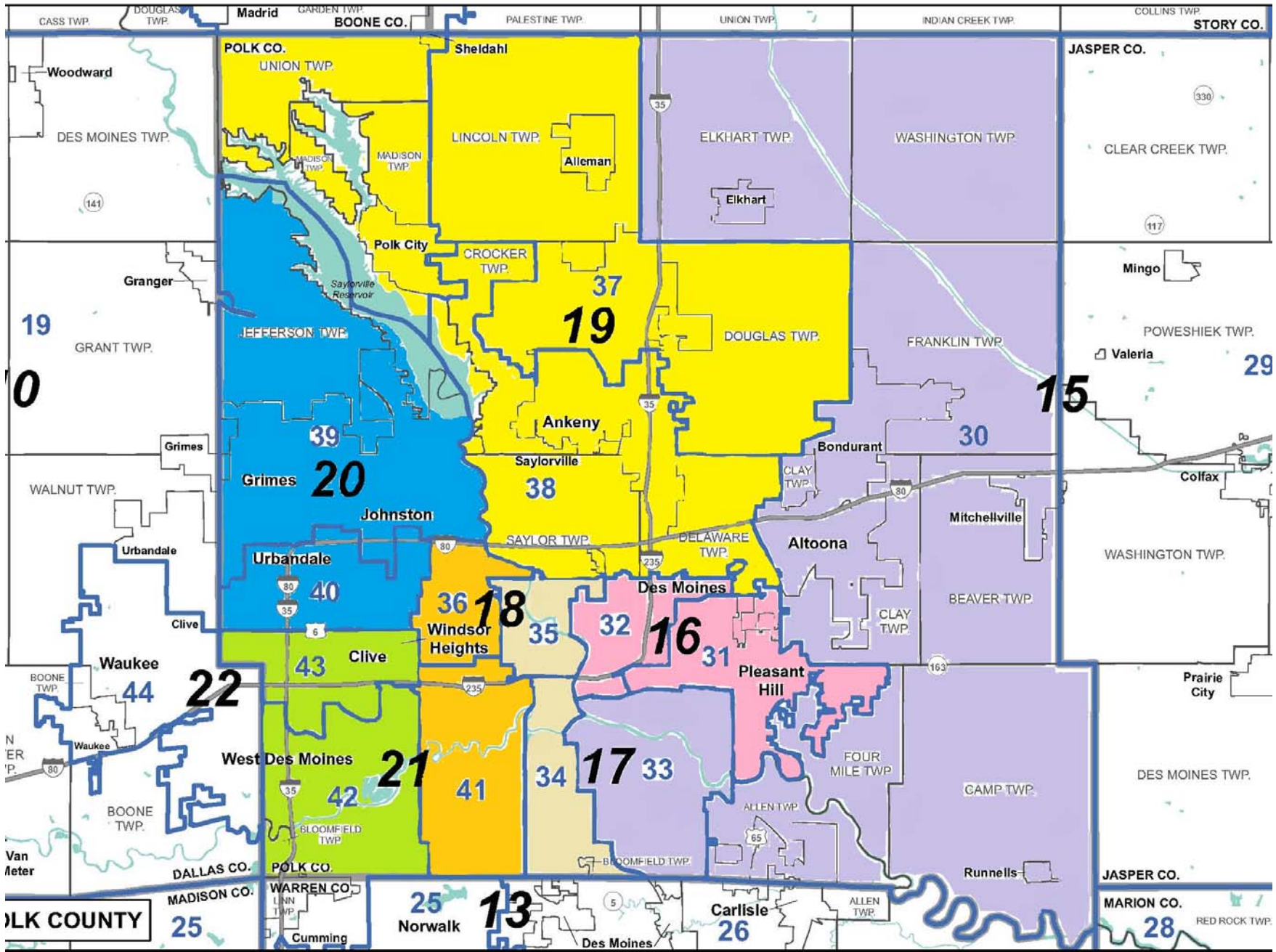
WAUKEE
WEST DES MOINES
CLIVE
WINDSOR HEIGHTS
PLEASANT HILL
FOUR MILE TWP
CAMP TWP
DES MOINES TWP

BOONE TWP
WARREN CO.
NORWALK
CARLISLE
ALLEN TWP
RUNNELLS
JASPER CO.
MARION CO.
RED ROCK TWP

AS CO.
POLK CO.
WARREN CO.
NORWALK
DES MOINES
ALLEN TWP
JASPER CO.
MARION CO.
RED ROCK TWP



CURRENT DART COMMISSION DISTRICTS



PROPOSED DART COMMISSION DISTRICTS

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, Subsection 1 Subparagraph C of the Iowa Code to discuss as necessary strategy with Counsel.

Staff Resource: Elizabeth Presutti, General Manager

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 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.”
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 call for a **roll call vote** to 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:

- DART Staff and Legal Counsel will brief the Commission on pending litigation.