

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**

Item No. 12
For Meeting of 05/03/10

ITEM TITLE: Consideration of a resolution approving a 28M agreement with DART.

CONTACT PERSON: Marketa George Oliver, City Administrator


SUMMARY EXPLANATION

Attached for your consideration is a resolution approving a 28M agreement for the Des Moines Regional Transit Authority. In summary, the amendment permits DART a one-time authority to issue lower-cost limited tax obligation bonds to pay off extraordinary accident liability expenses from major accidents that occurred over the last three years in a maximum amount of \$3,500,000. DART is requesting this amendment to save taxpayer money and preserve at least \$300,000 in regional public transit service.

There will be no increase in taxes as a result of this action. DART and its legal resources remain committed to aggressively managing DART's liability actions and seek to achieve the fairest and lowest cost outcomes. Also, DART has recently taken several safety measures to prevent future accidents.

Finally, the maximum debt issuance of this agreement is \$3.5 million. If DART's liability needs turn out to be lower, DART will work to issue less debt or pay off the debt earlier. No additional property taxes or other taxes will be raised to pay for this debt service. The agreement and a letter from the DART chair are included in your packet.

Additionally, after the meeting held on April 19th, Council members had a few follow up questions. First, was what specifically is DART doing to enhance safety measures to prevent future accidents. Included in this packet is an update as of March 1, 2010 regarding Dart's safety initiatives and accident rates. The second question was what guarantee does Windsor Heights have that this will not raise taxes for our residents. I contacted Brad Miller, Executive Director for Dart and he indicated that DART's 5 year financial forecasts, including next year's adopted budget have incorporated the lower G.O. Bond payment into its budget and obviously, future budgets will have a much easier time affording the lower debt service payment expenses without tax increases than if Dart has to stay with the Bankers Trust loan. The short answer is that taxes will not go up related to this 28M agreement amendment. Also included in this information is a letter from Tionna Pooler, with Public Financial Management, who has been working as Dart's financial advisor. PFM also services as the City of Windsor Heights' financial advisor for bonds.

<input checked="" type="checkbox"/> Resolution _____ Ordinance ____ Contract _____ Other (Specify) _____
Funding Source _____ NA _____
APPROVED FOR SUBMITTAL _____ <div style="text-align: center;"> City Administrator</div>

STAFF RECOMMENDATION: Pass resolution on a roll call vote.

COUNCIL ACTION:

**DART Safety Initiatives
As of March 1, 2010**

Completed

1. Safety award patches & certificates
2. Bus Driver Name plates
3. Safety Awareness Posters
4. 90-days Injury-Free Reward Breakfasts by Management
5. Mandatory Safety glasses in Maintenance Shop
6. Daytime running lights on all buses
7. 10 mph restriction on Walnut transit mall.
8. Purchased speed guns – aggressive monitoring
9. Hired DART's First Full-Time Safety Manager
10. Repaint White crosswalk lines on Transit Mall
11. No rights on red downtown/no enter yellow
12. Mandatory 2 hour Pedestrian Awareness Training for all 155 Bus Drivers – April/May 2008
13. New Accident Policy – 5 Preventables May Result in Termination, lists serious infractions (including rear-end collisions) subject to termination on 1st offense.
14. No talking to customers or radio in controlled intersections or turning.
15. Implementing Smith System Defensive Driving Training Curriculum
16. Third-Party Safety Report Completed
17. Driver Surveys/Management Review
18. Added incentives to annual Safety Banquet
19. Tracking of "Days In A Row" w/o Accidents
20. 1 on 1 mandatory re-training with all post accident operators
21. Reduction in use of older buses on all-day runs
22. New larger mirrors installed on buses
23. More fixed cameras on DART's bus storage barn
24. 100% of all new buses ordered include surveillance
25. Eliminated Left-Hand Turns on 2 Downtown Link Shuttle Routes
26. Reduced absenteeism
27. Reduced overtime
28. Increase off-hours during State Fair weeks
29. Hire more full-time operators vs. part-time
30. Accident while on probation = termination
31. Hire more supervisors
32. Mandatory Curriculum of National Transit Institute & National Transportation Safety Institute Training Courses for all Supervisors
33. Mandatory 2-day Iowa/Illinois Safety Council Training for All Operators with 3 or more Accidents in Career. – November 2008
34. More supervisors assigned downtown
35. Partnership with DM Public Schools to manage student issues.
36. Adopted New DART Safety Culture Statement – Posted in all meeting rooms at DART
37. Redrafted DART's Corporate mission statement to highlight safety culture more.
38. Completed Internal Winter Driving Safety Campaign
39. Eliminated practice requiring drivers to complete written reports/surveys while driving
40. Implemented New Annual Bus Roadeo/New practice to send winners to State & National Roadeos
41. Applicant Aptitude Evaluation Software

42. New reportable accident definitions/reports
43. New Cell phone Policy – No cell phones on person
44. Yellow lights on all supervisor vehicles
45. New Unsafe Acts Policy
46. New Immediate Employee Injury Investigation Procedures
47. Installed countdown walk signs along Walnut Street
48. Eliminated Left Turns on all routes in Downtown Core
49. Honking of Horn on all Left Turns in Downtown
50. “Watch for Peds” Stickers in every bus’s Operator area.
51. Weekly Safety Message
52. Review of all routes to consider permanent elimination of left turns
53. Installation of Pedestrian Awareness Signage on Walnut Street
54. Bright “Ladder” painted Transit Mall crosswalks.
55. Installation of Automatic Audio Alarms for Turn Signals

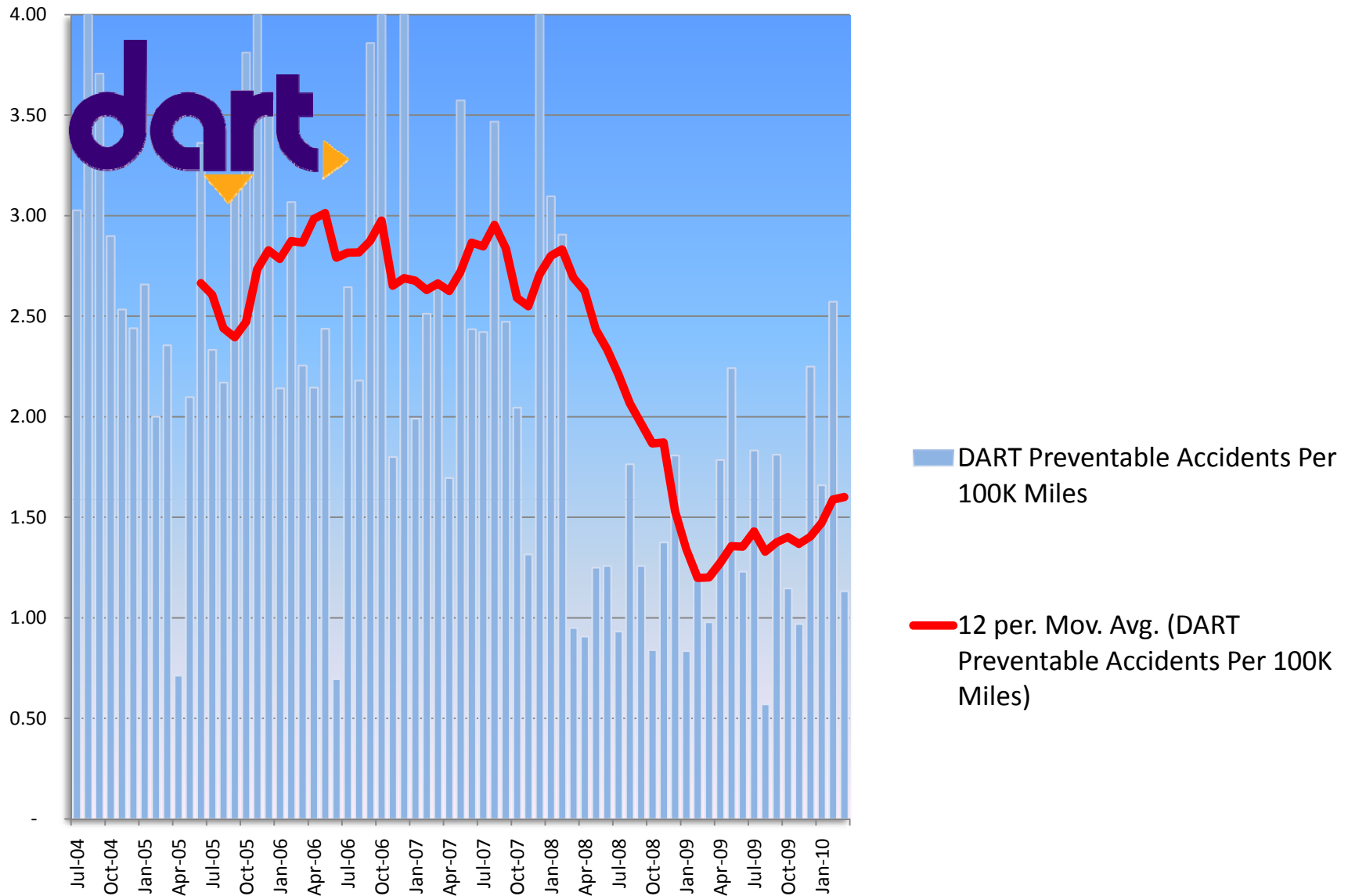
In the Works

- Annual repainting of Walnut Street crosswalks
- Review of Operator Fatigue Research. Consider initiatives to reduce long workdays.
- Design specific safety features into new Transit Hub

Possible Other Initiatives

- Steering column painted lines @ garage & transit mall.
- Issue National Safety Council Pins in addition to patches
- Honk horn before starting transit mall turn
- “K.I.T.” Light Bars on top of buses
- Recognize good safety in front of the Commission.
- Near Miss Reporting
- 4 Quarters Accident Free – 1 Day off
 - Safety Action Team
 - New accident database
- Enforce no jaywalking on TM.
- Extend “Walk” signals along Walnut. Delayed Green
- 4-way stop signal timings for pedestrians only
- Close street-side of transit mall shelters
- Stop holding/delaying buses downtown for late buses
- Bonus for instructor if trainee is accident free for 1st Yr.
- Target high-accident routes/areas.

DART Preventable Accidents Per 100K Miles





The PFM Group

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April 27, 2010

Memorandum

To: The Honorable Mayor Jerry Sullivan and Council, City of Windsor Heights
From: Tionna Pooler, Senior Managing Consultant, Public Financial Management (PFM)
CC: Marketa Oliver, City Administrator
Re: Proposed Amendment to the Des Moines Area Regional Transit Authority (DART) 28M Intergovernmental Agreement

PFM is privileged to serve as the financial advisor to the City of Windsor Heights (the City), and is pleased to have been recently hired to assist the Des Moines Area Regional Transit Authority to develop a financial plan to fund its settlement obligations.

In the course our review, PFM has analyzed several financing options available to DART, and have determined that the issuance of tax-exempt debt provides the lowest cost of funds to DART, minimizing costs to its member jurisdictions, including the City, and moderating the level of expense reductions.

The current agreement restricts the statutory authority otherwise available to DART, preventing the issuance of general obligation bonds absent a unanimous amendment by all parties to the 28M. As such, PFM recommends that the Council act to approve the 28M Agreement as proposed.

RESOLUTION NO. 10-0419/

CONSIDERATION OF A RESOLUTION APPROVING A 28M AGREEMENT WITH DART

WHEREAS, the city Windsor Heights has been a member of DART since 2006; and

WHEREAS, the city Windsor Heights values modes of alternative public transportation for its citizens; and

WHEREAS, DART wishes to have the one-time authority to issue lower-cost limited tax obligation bonds to pay off extraordinary accident liability expenses from several major accidents; and

WHEREAS, this will not raise taxes and in fact should save money;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the Mayor is hereby authorized to execute the 28M agreement for Windsor Heights' for the Des Moines Regional Transit Authority.

PASSED AND APPROVED THIS 3rd DAY OF May. 2010.

David J. Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk