



SPECIAL MEETING NOTICE & AGENDA

DATE: Thursday, April 3, 2025

TIME: 4:30 P.M.

PLACE: Board of Supervisors Chambers
Yuba County Government Center
915 8th Street
Marysville, California

I. Call to Order & Roll Call

Bains (Vice-Chair), Bradford, Buttacavoli, Cole, Flores, House, Hudson and Kirchner (Chair)

II. Public Business from the Floor

Members of the public may address the Authority on items of interest that are within the Authority's jurisdiction and are not on the agenda for this meeting. Public comment regarding agenda items will be permitted as each is considered by the Board.

III. Reports

A. Special Service for the 2025 Sikh Parade. (Attachment)

RECOMMENDATION: Accept the recommendation of the Ad Hoc Committee to discontinue the operation of a parking lot shuttle service for the Sikh Parade and authorize the Executive Director to notice interested parties, as proposed.

IV. Adjournment

THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, APRIL 17, 2025, AT 4:00 P.M. IN THE BOARD OF SUPERVISORS CHAMBERS, YUBA COUNTY GOVERNMENT CENTER

If you need assistance to attend the Yuba-Sutter Transit Board Meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the Board, please contact the Yuba-Sutter Transit office at (530) 634-6880 or by email at info@yubasuttertransit.com at least 72 hours in advance so such aids or services can be arranged.

AGENDA ITEM III – A
STAFF REPORT

SPECIAL SERVICE FOR THE 2025 SIKH PARADE

RECOMMENDATION: Accept the recommendation of the Ad Hoc Committee to discontinue the operation of a parking lot shuttle service for the Sikh Parade and authorize the Executive Director to notice interested parties, as proposed.

Background

Yuba-Sutter Transit has provided a parking shuttle for the Sikh festival parades every year since 2007, except for 2009 following changes in Federal Transit Administration (FTA) charter regulations and 2020 when the parade was cancelled due to the pandemic. For the first two years of the service, the sponsor reimbursed Yuba-Sutter Transit for the cost of each vehicle service hour operated. Then in February 2009, Yuba-Sutter Transit adopted a local policy effectively eliminating such services unless they could be operated in accordance with the FTA charter regulations. That same year, the Board declined a request to operate the service at no cost to either the passengers or the sponsors citing financial risks.

FTA's Charter Service Regulations (49 CFR Part 604) protect private charter operators from unauthorized competition from FTA grant recipients. In essence, the charter regulations were implemented to ensure that transit agencies, subsidized with federal money, do not unfairly compete with privately owned bus companies. Under the charter rules, with limited exceptions, local transit agencies are restricted from operating chartered services. The regulations define charter service as including, "transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration, and...the service is paid for in whole or in part by a third party." In addition, Appendix C to the regulation states, "the definition of charter service under 49 CFR Section 604.3(c) (1), requires a negotiated price, which implies an exchange of money. Thus, free service does not meet the negotiated price requirement. Transit agencies should note, however, that a negotiated price could be the regular fixed route fare or when a third party indirectly pays for the regular fare."

Since 2010, the Board has authorized an annual shuttle service for the Sikh festival parade based on an assumed operation of an estimated number of vehicle service hours and the event sponsors' pre-purchase of a certain number of regular, round-trip fares in lieu of collecting fares on the day of the event. The shuttle services for this one-day event have grown significantly since 2007, when 79 vehicle service hours were provided with a handful of buses and 1,572 passenger boardings were recorded, to the peak in 2015 when 27 buses provided 274 vehicle service hours and an estimated 30,000 to 35,000 passenger boardings. For the most recent event in November 2024, Yuba-Sutter Transit provided 204 vehicle service hours using 19 low-floor buses and accepted pre-payment of \$19,500 in estimated round-trip fares from the event sponsors. The fully allocated costs of the service were calculated at approx. \$28,497.

In anticipation of a request for parking shuttle service to the 2025 Sikh parade, staff requested formation of an ad hoc committee of the Board in March to assist in addressing potential costs, compliance issues, safety, and liability concerns with the service as operated previously.

Discussion

The Board appointed ad hoc committee met on March 27, 2025, at the Yuba-Sutter Transit offices with the goal of discussing staff's concerns in detail and returning a recommendation to the Board regarding the future

performance of the service. The meeting was attended by Director Buttacavoli, Chair Kirchner and the Executive Director. Director House and legal counsel were unable to attend due to unforeseen scheduling conflicts. During the meeting, staff led a review of the applicable charter regulations and provided a historical accounting of the shuttle services provided to date.

The main areas of concern presented by staff were ensuring compliance with the federal charter regulations and mitigation of the inherent risks of the shuttle operation. Significantly, upon close examination of the governing regulations, the committee agreed that the shuttle service would meet the FTA definition of a charter if there was payment of any kind from a third party for the service. This determination led the committee to a detailed discussion of the options for performing the service in strict compliance with the regulations which include, providing the service free of charge to the patrons and event sponsors, charging each patron the appropriate fixed route fare, or proceeding under the only applicable charter rule exemption based on a procedural determination that there are no private charter providers interested in performing the service.

The committee considered but ultimately rejected the option to perform the service at no cost and/or fare free due to the significant financial risks, and a consensus that the option of collecting fares at the door would be completely impracticable due to the number of patrons. The last option involves first soliciting interest from private charter operators registered in the FTA's national database by email and fax. After which, if there are absolutely no responses from any registered charter providers in the designated timeframe, the recipient can perform the charter. If any charter provider indicates an interest in providing the service set out in the notice, the recipient is precluded from providing the service. Exercising this option was not considered viable by the committee because it would require a fundamental change to the adopted Charter & Special Services Policy, potentially create a further administrative burden, and delay notice to the event organizers.

Additionally, the committee heard concerns from staff related to difficulties in maintaining operational safety and the considerable risks to the public arising from the enormous volume of shuttle patrons and the potential for pedestrian/vehicle conflicts. In recent years, growing issues were reported with increased pedestrian traffic along the shuttle route, the lack of satellite shuttle parking management, the crowd control responsibilities left to the transit agency and contractor staff, and the necessity to operate vehicles beyond their normal passenger capacity to keep up with crowds. When considering the risks to public safety and the potential impacts of even a relatively small incident, the committee determined that a recommendation be made to the Board at large to discontinue operation of a shuttle service for the Sikh Parade and authorize the Executive Director to notice interested parties as such. Alternatively, the Board may direct staff to perform the service at no cost to the sponsors and patrons or pursue a possible exemption through solicitation for interested private charter bidders. The latter option would require Board adoption of a revised charter policy (likely at the regular April 17 meeting) and take a minimum of three additional weeks to complete the solicitation process. In the event that any private companies respond to the notice, Yuba-Sutter Transit would be legally prohibited from performing the service.

Considering the requested action and assuming Board concurrence, staff is committed to assisting event sponsors with pursuing services from a private charter operator(s), and continuing to assist local staff, law enforcement and event contractors with logistics and safety planning of any shuttle services acquired.

Staff will also be prepared at the meeting to discuss this issue in detail.

Fiscal Impact

As proposed, there is no fiscal impact. If services are provided, the fully allocated costs for the same vehicle service hours provided last year would be approximately \$27,720.