

Staff Report

To: Board of Directors
From: Garin Wally
Date: September 25, 2025

Agenda Item: 5.2 Staff Report – New Meadows and Golden West Subdivisions Petitions for Removal from Missoula Urban Transportation District

Attachments:

- 8/22/2024 Staff Report – New Meadows Subdivision Petition for Removal
- 5/22/2025 Staff Report – Golden West Subdivision Petition for Removal
- 7/7/2025 Letter to Jami Sindelar (proponent of the New Meadows subdivision petition)
- 7/7/2025 Letter to Boggs (proponent of the Golden West subdivision petition)

Recommendation:

Approve the petitions for removal effective October 1, 2025, pursuant to HB 764 revising the urban transportation district law that defines direct transportation services and allows for removal from the district.

Discussion:

On August 22, 2024, the board of directors denied the New Meadows petition for removal based on the existing Missoula Urban Transportation District policy and 7-14-202 MCA. MUTD received a second, similar petition for removal from residents in the Golden West subdivision that was presented to the board on May 14, 2025 and again at the May 22, 2025 board meeting. That petition, too, was denied with the proviso that the board would entertain reversing its decisions based on revisions to the public transportation statutes dictated by the passage of HB 764 that would be effective on October 1, 2025.

Pursuant to the attached letters to the proponents of the petitions for removal, the staff now recommends that the board reverse its previous decisions and allow the New Meadows and Golden West subdivisions to withdraw from the urban transportation district as of October 1, 2025.

Financial Impact and Funding Source:

The total impact (loss) to MUTD's revenues is \$33,154 (New Meadows - \$16,810 and Golden West - \$16,344).

DBE Certified: NA



MUTD Board of Directors Meeting
Staff Report

To: Board of Directors
From: Garin Wally
Meeting Date: August 22, 2024

Attachments

1. Petition for Removal
2. Elections Office
Verification Letter
3. Interpretation of MCA 7-14-241 Memo
4. 1980 New Meadows Plat
Map
5. 1983 Mullan Rd. Area
Map

Agenda Item: 5.7 Petition to Remove New Meadows subdivision from the Missoula Urban Transportation District (MUTD).

Recommendation: Deny the petition to remove New Meadows subdivision from the Missoula Urban Transportation District.

Discussion: MUTD received a petition from the residents of the New Meadows subdivision to be removed from the MUTD.

The petition was received 6/27/2024 and must be acted upon within sixty days (before 8/26/2024). It contains 77 Election's Office-verified signatures for the 137 residents in the New Meadows Subdivision (56%).

Although MCA 7-14-241 describes how an area can be removed from a transportation district, area is not defined in the statute. Because of this, a memo with an interpretation was presented in September of 2019 that states: "An area may be removed from the district only as part of the area with which it was added to the district." Under this interpretation, New Meadows Subdivision cannot be removed from the MUTD district because it was added to the district as part of a larger "El Mar/Mullan Road" area in 1983. A short history of this annexation as summarized from 1983 board meeting minutes will be presented.

In 2019, the board initiated a planning process to evaluate how petitions for removal should be evaluated based on the services MUTD provides and applicable law. This process culminated in a 2019 amendment to the strategic plan to clarify MUTD's understanding of the services included in "direct transportation services" as that term is used in the applicable statute.

The 2019 amendments to MUTD's strategic plan clarified that the board and staff consider "direct transportation services" to be broadly defined to include, for example:

Mountain Line provides a range of transportation services that directly benefit all property owners and constituents within its district boundaries.

- Planning services performed for the entire district aim to develop new transit services that support community goals, growth, and development.
- Education and outreach on transportation options that helps to manage growing transportation demands in the community.

- Reductions in traffic congestion due to fixed route ridership, and associated increases to quality of life and the environment, benefit everyone.
- Eligible persons within $\frac{3}{4}$ of a mile of a fixed route receive origin-to-destination paratransit or senior van service.
- Park-and-ride opportunities allow people who don't live within walking distance of a fixed route to access the system.

The board also considered that if a property is removed from MUTD, its residents would continue to benefit from these services, but they would not contribute their fair share of the costs of these services, which would be unfair to the remaining residents of the district.

Staff has determined that the petitioners receive and benefit from some or all of the direct transportation services described in the amended strategic plan, and therefore the board should deny the petition.

Financial Impact: Removing New Meadows subdivision from MUTD would result in a decrease of local funding of approximately \$275 per New Meadows subdivision household, totaling \$17,857.32 annually.

DBE-Certified Vendor – NA



MUTD Board of Directors Meeting
Staff Report

Attachments

1. Petition for Removal
2. 5.5.25 Special Board Meeting Presentation

To: Board of Directors
From: Garin Wally
Meeting Date: May 22, 2025

Agenda Item: 5.8 Petition to Remove Golden West Subdivision from the Missoula Urban Transportation District (MUTD).

Recommendation: Deny the petition to remove Golden West Subdivision from the Missoula Urban Transportation District.

Discussion: MUTD received a petition from the residents of the Golden West Subdivision to be removed from the MUTD.

The petition was received on March 25, 2025, and must be acted upon within sixty days (before May 24, 2025). It contains 35 Election's Office-verified signatures for the 68 registered voters in the Golden West Subdivision (51.5%).

Although MCA 7-14-241 describes how an area can be removed from a transportation district, area is not defined in the statute. Because of this, a memo with an interpretation was presented in September 2019 that states: An area may be removed from the district only as part of the area with which it was added to the district. Under this interpretation, Golden West Subdivision cannot be removed from the MUTD district because it was added to the district as part of a larger "El Mar/Mullan Road" area in 1983. A short history of this annexation as summarized from 1983 board meeting minutes will be presented.

In 2019, the board initiated a planning process to determine how petitions for removal should be evaluated based on the services MUTD provides and applicable law. This process culminated in a 2019 amendment to the strategic plan that clarified MUTD's understanding of the services included in "direct transportation services" as that term is used in the applicable statute.

The 2019 amendments to MUTD's strategic plan clarified that the board and staff consider "direct transportation services" to be broadly defined to include, for example:

Mountain Line provides a range of transportation services that directly benefit all property owners and constituents within its district boundaries.

- Planning services performed for the entire district aim to develop new transit services that support community goals, growth, and development.
- Education and outreach on transportation options that helps to manage growing transportation demands in the community.
- Reductions in traffic congestion due to fixed route ridership, and associated increases to quality of life and the environment, benefit everyone.
- Eligible persons within $\frac{3}{4}$ of a mile of a fixed route receive origin-to-destination paratransit or senior van service.

- Park-and-ride opportunities allow people who don't live within walking distance of a fixed route to access the system.

The board also considered that if a property is removed from MUTD, its residents would continue to benefit from these services, but they would not contribute their fair share of the costs of these services, which would be unfair to the remaining residents of the district.

Staff has determined that the petitioners receive and benefit from some or all of the direct transportation services described in the amended strategic plan, and therefore the board should deny the petition.

Financial Impact: Removing Golden West Subdivision from MUTD would result in a decrease of local funding of approximately \$275 per Golden West Subdivision household, totaling \$16,344.80 annually.

DBE-Certified Vendor – NA

July 7, 2025

Jami Sindelar
111 New Meadows Dr.
Missoula, MT 59808

Re: Petition to Remove New Meadows Subdivision from the Missoula Urban Transportation District (MUTD)

Dear Ms. Sindelar:

The above-referenced petition for removal was submitted to the Missoula Urban Transportation District Board of Directors on June 24, 2024, and discussed by the Board on August 22, 2024. The petition was denied under current Montana Law, Section 7-14-241 Montana Code Annotated (MCA) (2023). Section 7-14-241 MCA was last amended in 1997.

MUTD received a similar petition for removal from the MUTD from Golden West Addn. #1 on March 25, 2025. You attended the May 22, 2025, meeting of the MUTD Board of Directors and provided public comment about the petition to Remove Golden West Addn. #1 from the MUTD. The Golden West Addn. Petition was denied for the following reasons:

1. Golden West Addn. #1 is within the MUTD Planning Boundary. In 2019, MUTD amended its strategic plan to clarify the “direct transportation services” that Mountain Line provides. This includes not just fixed-route transit, but also paratransit service, planning services, outreach and education, and park-and-ride opportunities. The 2019 update also established a MUTD Planning Area Boundary, which is coincident with the Missoula Growth Policy Boundary and defines the areas that receive these “direct transportation services.”
2. The MUTD Planning Area and strategic plan are the basis for evaluating petitions in and out of MUTD. The Golden West subdivision is located within the MUTD Planning Area. Therefore, the MUTD Board determined that the area does receive “direct transportation services” as defined by MCA 7-14-241.
3. Golden West Addn. #1 (the petitioning area) does not meet MUTD’s definition of area as defined in its Planning Area Boundary and the Missoula Growth Policy Boundary. In interpreting MCA 7-14-241 wherein it states, “An area may be removed from the district only as part of the area with which it was added to the district.” the attached documentation shows that Golden West Addn. #1 was added to the district as part of the El Mar Subdivision approved by the MUTD Board of Directors in 1983.



Therefore, the MUTD Board of Directors voted to deny the Golden West Addn. petition for removal.

During your testimony on May 22, 2025, you requested the MUTD Board of Directors revisit its decision to deny the New Meadows petition that the board acted on last summer. The board did not reconsider its decision regarding the New Meadows petition at the May 22, 2025, board meeting. Please note, however, that the board agreed to rehear the petition as soon as practicable after October 1, 2025, the effective date of the revisions to Sections 7-14-202 and 7-14-241 MCA as authorized by the Montana Legislature's HB 764 in 2025. The Board is aware that it will need to make changes to its policies to comply with the provisions of HB 764 and will rehear the New Meadows petition after it updates its policies to comply with HB 764.

Mountain Line's CEO & General Manager, Jordan Hess, will be in touch this summer as the Board updates its relevant policies. Please don't hesitate to contact Jordan at any time at jhess@mountainline.com or (406) 215-2454.

Sincerely,

Sebastian Strauss

Sebastian Strauss (Jul 10, 2025 04:39 MDT)

Sebastian Strauss

Board Chair, MUTD Board of Directors

July 7, 2025

Heidi Boggs
1050 Cote Ln.
Missoula, MT 59808-5014

Re: Petition to Remove Golden West Addn. #1 from the Missoula Urban Transportation District (MUTD)

Dear Ms. Boggs:

We received the above-referenced petition for removal on March 25, 2025, and the packet on March 27, 2025. After the Missoula County Elections Office verified the petition signatures, the MUTD Board of Directors heard the item at its May 22, 2025, board meeting. The petition was discussed under current Montana Law, Section 7-14-241 Montana Code Annotated (MCA) (2023). Section 7-14-241 MCA was last amended in 1997.

After extensive deliberation, the petition was denied for the following reasons:

1. Golden West Addn. #1 is within the MUTD Planning Boundary. In 2019, MUTD amended its strategic plan to clarify the “direct transportation services” that Mountain Line provides. This includes not just fixed-route transit, but also paratransit service, planning services, outreach and education, and park-and-ride opportunities. The 2019 update also established a MUTD Planning Area Boundary, which is coincident with the Missoula Growth Policy Boundary and defines the areas that receive these “direct transportation services.”
2. The MUTD Planning Area and strategic plan are the basis for evaluating petitions in and out of MUTD. The Golden West subdivision is located within the MUTD Planning Area. Therefore, the MUTD Board determined that the area does receive “direct transportation services” as defined by MCA 7-14-241.
3. Golden West Addn. #1 (the petitioning area) does not meet MUTD’s definition of area as defined in its Planning Area Boundary and the Missoula Growth Policy Boundary. In interpreting MCA 7-14-241 wherein it states, “An area may be removed from the district only as part of the area with which it was added to the district,” the attached documentation shows that Golden West Addn. #1 was added to the district as part of the El Mar Subdivision approved by the MUTD Board of Directors in 1983.

Therefore, the MUTD Board of Directors voted to deny the Golden West Addn. #1 petition for removal submitted on March 27, 2025.



Please note, however, that the Board of Directors agreed to rehear the petition for removal as soon as is practicable after October 1, 2025, the effective date of the revisions to Sections 7-14-202 and 7-14-241 MCA as authorized by the Montana Legislature's HB 764 in 2025. The Board is aware that it will need to make changes to its policies to comply with the provisions of HB 764.

Mountain Line's CEO & General Manager, Jordan Hess, will be in touch this summer as the Board updates its relevant policies. Please don't hesitate to contact Jordan at any time at jhess@mountainline.com or (406) 215-2454.

Sincerely,

Sebastian Strauss

Sebastian Strauss (Jul 10, 2025 04:37 MDT)

Sebastian Strauss

Board Chair, MUTD Board of Directors