

## Staff Report

**To:** Board of Directors

**From:** Darlene Craven, Garin Wally

**Date:** January 22, 2026

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### **Agenda Item: 5.2 Petitions for Removal**

#### **Attachments:**

- 5.2.1 Resolution 26-01 approving the petitions for removal.
- 5.2.2 Map showing Ranch Club subdivision location.
- 5.2.3 Map Showing Enterprise Way location.
- 5.2.4 Resolution 26-02 denying the petition for removal.
- 5.2.5 Map Showing Duncan Drive location.

#### **Recommendation:**

Approve Resolution 26-01 removing the referenced properties from the urban transportation district tax rolls and filing with the Missoula County Clerk & Treasurer for processing by the Montana Department of Revenue.

Approve Resolution 26-02 denying removal of the property located at 3500½ Duncan Drive as it lies well within the urban transportation district and is within a 1½ mile distance of Route 5.

#### **Discussion:**

On October 1, 2025, House Bill 764 became effective. HB 764 updated and revised MCA 7-14-219 by establishing two criteria for petitioning for removal from the Missoula Urban Transportation District and defined direct transportation services as “the operation of a vehicle that provides general or special service to the public on a regular basis within 1 ½ miles of the property.” In addition, it allowed individual properties to request removal if there had been no service within the last five years.

Since the effective date, agency staff have received numerous calls and visits regarding the removal process. Because the revised statute is ambiguous and does not define specific steps for removal, the staff met with principals from the other entities that are part of the removal process – the elections office, the clerk and treasurer’s office and the state department of revenue. As a result of those meetings and legal counsel, the staff have developed a process that complies with the statute. This process includes a statutorily allowed 60-day timeline for board action.

The state department of revenue issued a memo requiring changes to tax districts be submitted to the department by January 1, 2026 to impact tax bills issued in November 2026. Petitions received after this date would become effective for tax bills issued in November 2027. As a courtesy to property owners seeking to petition out of the district, staff presented petitions received up to 48 hours before the December 2025 board meeting for consideration at the December meeting to meet the January 1<sup>st</sup> deadline.

On or after December 23, the agency received petitions from a Ranch Club subdivision, the Duncan Drive property owner and a commercial property owner at the Wye. Based on requests from local legislative representatives, the staff is submitting the Ranch Club Phases 4 & 5 subdivision and the commercial property for approval (Resolution 26-01) even though the deadline for consideration of the next tax bill has passed. Should the board approve this resolution, staff will forward this request to the DOR for their consideration. Resolution 26-02 denies the Duncan Drive petition.

Going forward in 2026, the staff will continue to submit resolutions with petitions for removal to the board within the 60-day timeframe established by the statute and record those resolutions with the clerk & recorder. The clerk & recorder will then submit the recorded resolutions (and petitions) to the DOR prior to the January 1, 2027 deadline.

**Financial Impact and Funding Source:**

10144 Enterprise Way – \$477.24

Ranch Club Phases 4 & 5 – To be determined.

3500½ Duncan Drive - \$72.06

**DBE Certified:**

Not applicable.

**RESOLUTION 26-01**  
**Petition for Removal from the**  
**Missoula Urban Transportation District**

A RESOLUTION TO REMOVE THE PROPERTIES FROM THE MISSOULA URBAN TRANSPORTATION DISTRICT TO INCLUDE the properties listed as follows:

| Name(s)                             | Address(es)                                |
|-------------------------------------|--|
| Susan G. Doores & George R. Svoboda | 10144 Enterprise Way                       |
| The Ranch Club Phases 4 & 5         | Rustler Drive, Campsite Place, Prada Drive |

**LEGAL DESCRIPTIONS:** The legal descriptions are attached as Exhibit A. The subject properties are shown on the attached removal petitions map.

WHEREAS, the property owners listed on the removal petition have petitioned to remove their properties from Missoula Urban Transportation District; and

WHEREAS, effective October 1, 2025, MCA 7-14-241 established the criteria for removing individual properties from the Missoula Urban Transportation District; and

WHEREAS, it is the considered and deliberate judgment of the Missoula Urban Transportation District that the properties be removed from the district because they have not received direct service within the last five years and are not located within a mile and a half of direct transportation service as defined by MCA 7-14-241; and

WHEREAS, the Missoula Urban Transportation District has determined that compliance with MCA 7-14-241 dictates that individual properties may be removed from the Missoula Urban Transportation District if they do not receive direct transportation services; and

NOW, THEREFORE, BE IT RESOLVED by the Missoula Urban Transportation District to remove the properties described herein from the urban transportation district tax rolls.

BE IT FURTHER RESOLVED that the CEO & General Manager is hereby instructed to file this resolution with the Clerk and Recorder of Missoula County. These removal petitions shall become effective at the start of the tax year following the date of the filing of said document.

PASSED AND ADOPTED this 22<sup>nd</sup> day of January, 2026.

APPROVED:

ATTEST:

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Sebastian Strauss  
Board Chair  
Missoula Urban Transportation District

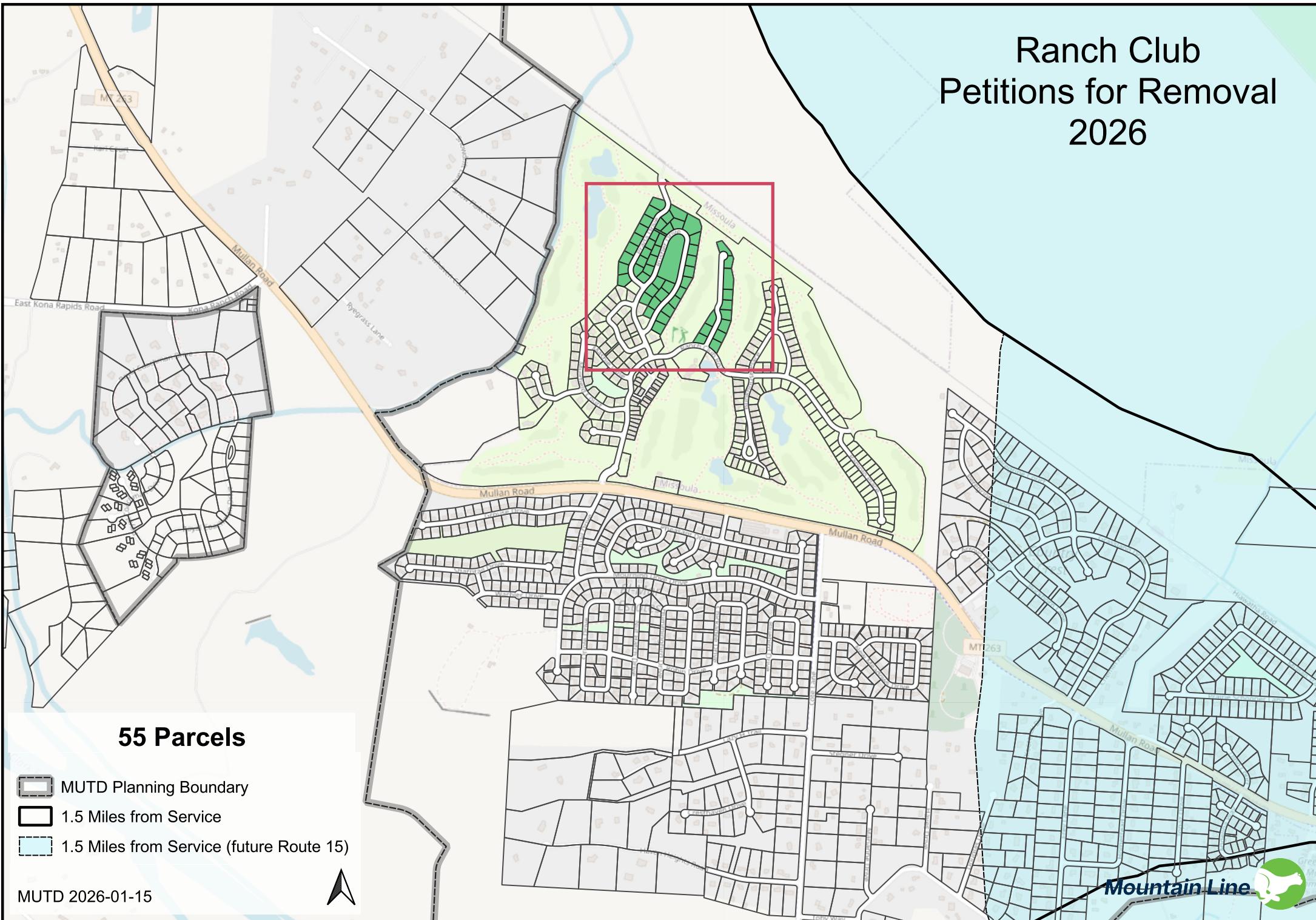
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Amy Cilimburg  
Secretary  
Missoula Urban Transportation District

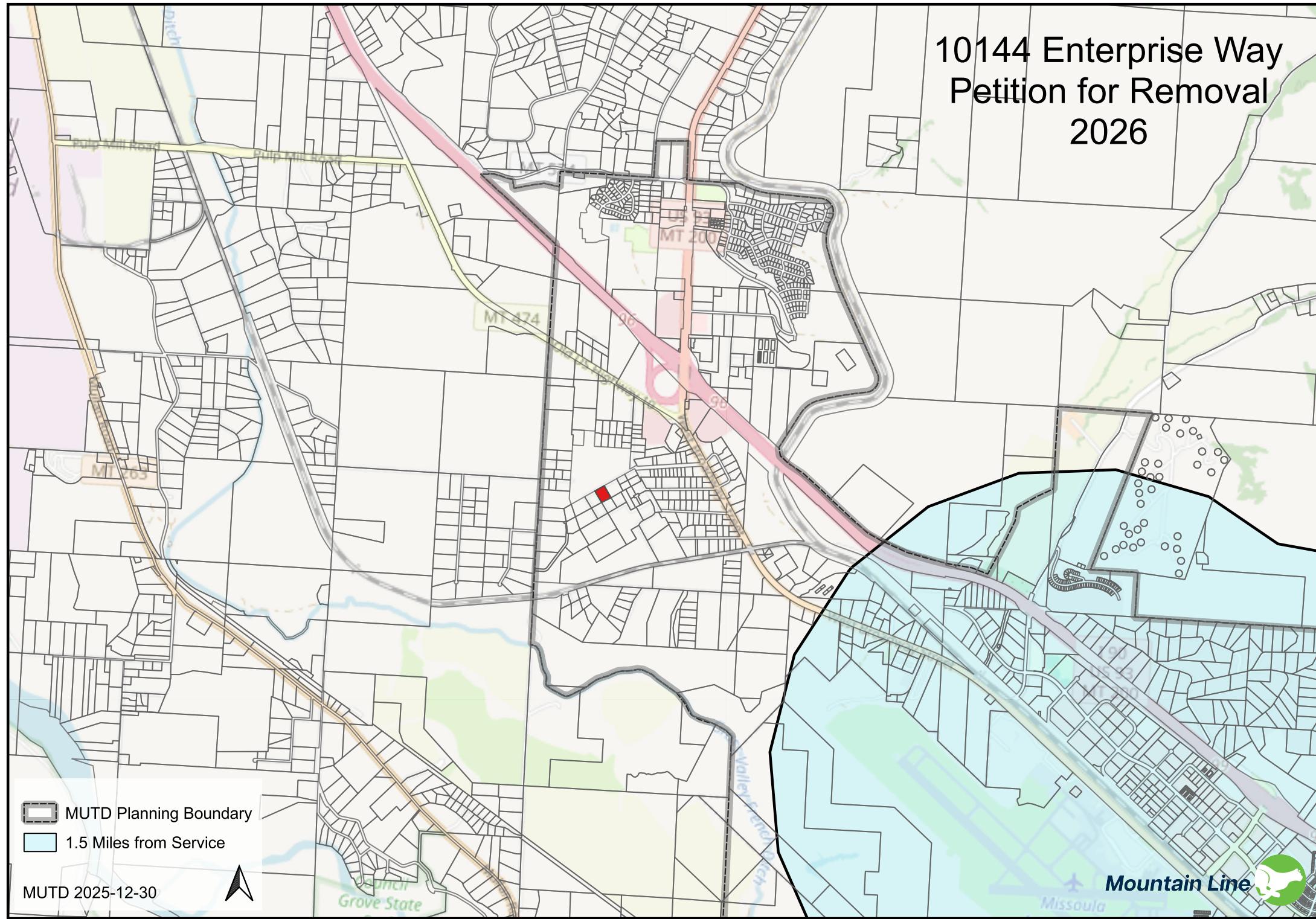
**EXHIBIT A – Property Legal Descriptions**

|   |
|---|
| RACETRACK INDUSTRIAL PARK, S28, T14 N, R20 W, Lot 4 |
| T13 N, R20W, Lots 77-131, Phases IV and V           |

# Ranch Club Petitions for Removal 2026



# 10144 Enterprise Way Petition for Removal 2026



**RESOLUTION 26-02**  
**Petition for Removal from the**  
**Missoula Urban Transportation District**

A RESOLUTION TO REMOVE THE PROPERTIES FROM THE MISSOULA URBAN TRANSPORTATION DISTRICT TO INCLUDE the properties listed as follows:

| Name(s)           | Address(es)        |
|-------------------|--------------------|
| Helen A. Cipolato | 3500½ Duncan Drive |

**LEGAL DESCRIPTIONS:** The legal description is attached as Exhibit A. The subject property is shown on the attached map.

WHEREAS, the property owner listed on the removal petition has petitioned to remove their property from Missoula Urban Transportation District; and

WHEREAS, effective October 1, 2025, MCA 7-14-241 established the criteria for removing individual properties from the Missoula Urban Transportation District; and

WHEREAS, it is the considered and deliberate judgment of the Missoula Urban Transportation District that the referenced property not be removed from the district because it lies within the urban transportation district is located within 1½ miles of an established bus route (Route 5); and

NOW, THEREFORE, BE IT RESOLVED by the Missoula Urban Transportation District to deny the petition for removal because the property is within the 1½ mile distance from Route 5 and is within the urban transportation district.

BE IT FURTHER RESOLVED that the CEO & General Manager is hereby instructed to file this resolution with the Clerk and Recorder of Missoula County.

PASSED AND ADOPTED this 22<sup>nd</sup> day of January, 2026.

APPROVED:

ATTEST:

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Sebastian Strauss  
Board Chair  
Missoula Urban Transportation District

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Amy Cilimburg  
Secretary  
Missoula Urban Transportation District

**EXHIBIT A – Property Legal Descriptions**

S11, T13 N, R19 W, C.O.S. 3860, PARCEL S1, IN NW4 SW4 1AC

3500 1/2 Duncan Dr  
Petition for Removal  
2026

