

**CITY of LA GRANDE**  
**City Council Special Session**

**June 14, 2021**

**6:00 p.m.**

The meeting was available for viewing via the City's scheduled Charter Communications channel 180, on the La Grande Alive website at <https://eoalive.tv/city-events/> and on the Eastern Oregon Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

***MINUTES***

**COUNCILORS PRESENT:**

Stephen E. Clements, *Mayor*  
Gary Lillard, *Mayor Pro Tem*  
John Bozarth, *Councilor*  
David Glabe, *Councilor*  
Mary Ann Miesner, *Councilor (present at 6:15 p.m.)*  
Justin Rock, *Councilor*

**COUNCILORS ABSENT EXCUSED:**

Nicole Howard, *Councilor*

**STAFF PRESENT**

Robert Strobe, *City Manager*  
Sandra Patterson, *City Recorder*  
Stacey Stockhoff, *Assistant to the City Manager*  
Michael Boquist, *Community Development Director*  
Kyle Carpenter, *Public Works Director*  
Heather Rajkovich, *Finance Director*

Per ORS 192.670 (1), Councilors and Staff participated in this Regular Session by electronic communication.

**CALL TO ORDER/ROLL CALL**

Mayor CLEMENTS called to order this Special Session of the Council at 6:02 p.m. Roll Call was taken and a quorum was determined to be present.

**NEW BUSINESS**

- a. Consider: Requesting FEMA Floodplain Map Revisions

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated that the City of La Grande and Union County were jointly working to update the FEMA floodplain mapping for the City of La Grande and the areas within Union County that lie West of I-84 and South of Hwy 30 (McAlister Road and vicinity).

BOQUIST noted that the process to update the floodplain maps required that the City of La Grande and Union County submit a Letter of Map Revision (LOMR) to the Federal Emergency Management Agency (FEMA). This request would revise FEMA FIRMs #410260-0001C (La Grande), #410260-0002D (La Grande), #410216-0290C (Union County),

and #410216-0295B (Union County) and includes the following waterways: Taylor Creek, Mill Creek, Deal Creek and the Gekeler Slough. The proposed revisions were prepared by Anderson-Perry and Associates in partnership with the US Army Corps of Engineers, and provide a more accurate representation of the actual flood hazard areas. The mapping was developed using Light Detection and Ranging (LiDAR), the most recent satellite, LiDAR imagery, and 3D modeling.

BOQUIST stated that on December 2, 2020, the Union County Board of Commissioners met and voted to support the City of La Grande forwarding map updates to FEMA, affecting FIRM Maps within both the City of La Grande and Union County jurisdictions. On May 24, 2021, the City Council held a Work Session with Anderson Perry and Associates, to discuss proposed floodplain mapping revisions and the FEMA application process. As a result of this LOMR, if approved, the regulatory floodway and floodplain would be widened in some areas and narrowed in others, with Base Flood Elevations (BFEs) established. In other words, some properties will be removed and others added to the floodplain as part of this revision.

BOQUIST shared that an interactive floodplain map could be accessed from the City of La Grande Planning Division website at <http://planning.cityoflagrande.org>. Additionally, the City Council's Work Session with Anderson-Perry and Associates could be viewed on the La Grande City Manager's Facebook Live page at <https://www.facebook.com/CityofLaGrande>.

BOQUIST noted that the purposes of the Special Session was to hear and consider public testimony from affected property owners, then render a decision authorizing Anderson-Perry and Associates to submit the Letter of Map Revision (LOMR) to FEMA. Due to the COVID-19 Pandemic, public comments would be made telephonically during the virtual meeting. Public Notices included instructions on how the public could participate.

(Note: Councilor MIESNER joined the meeting at this point in the meeting.)

#### TELEPHONIC PUBLIC COMMENT

Mark GOMEZ stated that he did not agree with the mapping revisions around Walnut Street regarding Mill Creek, stating that Mill Creek was located approximately twenty (20) feet below his residence with about a 7½% to 10% gradient. He feels that if this area were to flood, it would flood below his residence and not on his property. He also suggested that a person should survey it by foot and not rely on the mapping done with the LiDAR equipment only.

Julie HICKERSON shared that her residence, located on Cedar Street, was a well-maintained home with a full

basement. Since owning the house for forty-five (45) years, they have never had an issue of standing water or flooding in or around their home. HICKERSON also mentioned that it would have been appreciated to know there was a potential flooding problem when the mapping was first completed. She also was seeking clarification regarding the floodplain being reduced around the Industrial Park.

Zachary LAURITZEN thanked BOQUIST for answering his questions by phone earlier that day. He asked if there was any flexibility in some of the floodplain zones and if there was anything a property owner could do in order to change the outcome of the mapping.

James GODFREY was concerned that the LiDAR technology might not have an accurate reading from above the property because the property and the surrounding area was covered in trees. He also believes that if Anderson Perry surveyed his property on foot, they would have found that his property was not in a low spot. He also stated that his property has zero standing or flooding issues. He believes that insurance and property values would be negatively affected if the mapping revisions were approved where his property lies.

Daniel GARVER asked why the north side of La Grande was not included in the floodplain revisions; how many new properties were affected under the new revisions; if property values would be reevaluated for taxes; and asked if the maps could be stored with the Planning Department for reference, instead of sending to FEMA.

Clayton DOBYNS stated that he would like to learn more about the storm drain system and how it worked.

Lisa NICHOLSON mirrored what James GODFREY stated earlier in regards to the data and how it was gathered given there are so many trees around her property. She also stated that her home was over 100 years old with zero flooding issues, but with the new revisions, her property would be placed in the floodplain and was concerned with the insurance and property value aspect and how it would impact her property.

Kyle CARPENTER, Public Works Director, explained that LiDAR technology was used for scanning elevations over large scale areas and described how the technology worked. Because of this advanced technology, the readout determines where trees are located on the ground level, as well as ancient riverbeds and different formations of construction projects over time. He also stated that the LiDAR data used in this model, which was taken in 2012, cost anywhere between \$50,000 to \$60,000. CARPENTER also stated that the process and steps to form a model for

the stormwater master plan and to read through all of the data was time consuming.

In response to Mark GOMEZ regarding the LiDAR technology used in the model and why his property was showing up on the new floodplain revisions, CARPENTER stated that even when a property might have a gradient and it would appear that it slopes enough where there would be no flooding, the technology was still picking up some sort of obstruction around that property, which in an event of a flood, could cause the water to backup and flood the property.

After looking at the map, BOQUIST clarified that there were no structures on the GOMEZ property that were impacted by the floodplain, only land area that runs along the channel.

In response to Julie HICKERSON's comments, BOQUIST stated when a home has a basement, the floor of the basement was considered the lowest floor elevation for insurance purposes, which would create a challenge with insurance coverage for a homeowner who was in the floodplain.

CARPENTER explained how the modeling of the grid worked with the LiDAR technology and how the FIRM maps were produced.

In response to HICKERSON's request for clarification regarding the floodplain area around the Industrial Park, BOQUIST stated that it had been significantly reduced around the Industrial Park area because over the last few years there had been several improvements made along Highway 30-Adams Avenue to aid in better water flow and less pooling of water.

In response to LAURITZEN's questions, BOQUIST noted that there was nothing else that a homeowner could do to change the outcome of the map because the analysis was already done, but once FEMA accepts the changes to the map, LAURITZEN could then choose to go through the Elevation Certificate process to have his property reevaluated.

Mayor CLEMENTS asked how the Elevation Certificate process worked, to which CARPENTER stated that it was a privately done process filed with FEMA to amend the maps.

In response to GARVER's question regarding the northside of La Grande, BOQUIST answered that this area was not part of the floodplain because it has no streams that run through it and the northside stays in the channel of the Grande Ronde River.

BOQUIST followed up on GARVER's question regarding how many people were affected with the map revisions by stating that approximately four hundred (400) notices were sent out to property owners, but he did not have a breakout of newly added properties compared to ones being removed from the maps. He also stated that he was not sure if the floodplain would affect the property value for taxes.

In response to GARVER's question regarding if the map could stay with the Planning Department for reference, BOQUIST answered that City Council would make that decision to either send the map on to FEMA or not.

Mayor CLEMENTS asked if the interactive map would stay online for reference, to which BOQUIST stated that it would continue to be online for people to view.

In response to DOBYN's comments, BOQUIST noted that the properties located on the north side of Century Loop were currently in the floodplain, but with the proposed mapping, that section was significantly reduced. He added that DOBYN's house was removed but a portion of his garage was still located in the floodplain.

CARPENTER explained how the stormwater master plan and infrastructure elements worked for controlling the water flow and flooding on the southside of La Grande.

BOQUIST clarified that the floodplain zone barely touches the NICHOLSON property but it does not touch any of their buildings so they would not have any flood insurance requirements associated with their property.

Rachel BAREMORE spoke in favor of the revised floodplain stating that her property now dropped out of the floodplain zone and expressed her appreciation towards the City of La Grande.

Zachary LAURITZEN stated that having the City of La Grande's support in helping with the submission of paperwork to FEMA would be a helpful service to constituents.

In response to Clayton DOBYNS' question regarding the channel that runs through the drive-in theatre property located on 20<sup>th</sup> Street, CARPENTER stated that the adjacent property owner was responsible for the trees that line the channel but they work with the property owner to assure that the channel stays clear of debris for less flooding. He also mentioned that a culvert would be replaced around 18<sup>th</sup> Street in the future that would hopefully help alleviate flooding as well.

In response to LAURITZEN's comment regarding how the City of La Grande could help aid in the next steps in the

process with FEMA, BOQUIST stated that once FEMA gets closer to finalizing the maps, the next step would be to validate the number of property owners interested in reevaluating their property and from there, decide the next step on how the city could help aid in the process.

LILLARD asked if the motion did not pass tonight, how would this affect the properties that were in the floodplain on the old map but were not on the floodplain if the new map was approved, to which BOQUIST answered that those properties would continue to stay in the floodplain and were subject to all floodplain regulations. For those properties that were not in the floodplain before and have had issues with flooding, having the approved map to put them in the floodplain would be a benefit to them because they would be eligible for purchasing flood insurance, where before they could not. This was a one-part process, the Council would either approve to send the proposed map as presented to FEMA or not.

A conversation was held regarding the properties that would be removed from the new floodplain compared to new properties added to the floodplain, how the new maps have established water service elevations which was a key element in issuing Elevation Certificates, and the grid size used in the model and how the model establishes the elevations in these areas.

#### **COUNCIL DISCUSSION**

BOZARTH commented that he would not be in favor of moving forward with this unless they could establish some kind of appeal process through the City to help the property owners, even if it was collectively.

In response to MIESNER's question, BOQUIST clarified that any type of structure that had a mortgage against it and was touching the floodplain would be subject to flood insurance.

Mayor CLEMENTS asked if a house had no mortgage against it and it was located in the floodplain, would the property owner have to purchase flood insurance, to which BOQUIST stated that it would be the owner's choice if they wanted to purchase but it would not be required.

LILLARD conveyed his concern for the new property owners who would be placed in the floodplain and how that would impact them if the maps were approved. He also was concerned that the public was just now getting involved and felt they should have been notified of this process earlier on.

GLABE shared, after doing some research on his own, what the average cost for flood insurance for a home owner could potentially be and what the average cost could potentially be if a home owner were to file a claim for flood damage. He added that he understood how the cost of flood insurance

each month could be a burden for someone who was not subject to paying that before, but if they were covered with the flood insurance and ended up with a claim, it would be a benefit to the homeowner.

STROPE also recognized the potential added cost of insurance for property owners that would be affected if it was remapped. He also added that when the final mapping process was near, the Council could decide on the next step of setting some City funds aside to help assist property owners on resurveying their property, if needed.

BOQUIST gave a brief summary of the timeline and explanation for the mapping process and public comment period that occurred already and further explained what steps still need to happen before the maps were finalized by FEMA, to which CARPENTER added that the process would most likely take about two (2) more years to finalize the maps.

In response to LILLARD's question, BOQUIST stated that if the Council decided to wait and not approve the motion, it would only prolong the process. There was no rush to get this completed, but the longer they wait, the more outdated the data would become. Eventually they would be starting the process all over, which would cost more money and more time to get it complete. CARPENTER mirrored what BOQUIST stated.

Julie HICKERSON pointed out that if the map was approved, placing her property in the floodplain, it would be a huge impact to her family financially. She also understood the value in knowing if her property was in a floodplain so that she could be better prepared.

A discussion was held regarding the steps needed to take to move forward with the process, the option to hold off approving the motion and spend more money to refine our model before sending the LOMR to FEMA, the timeline that FEMA would take to analyze the map before finalize approval, and how the City can partner with the property owners to aid in financial support.

## **MOTION**

The following Motion was introduced by CLEMENTS; MIESNER providing the Second:

**MOTION:** I move that the City Council authorize Anderson-Perry & Associates to submit a Letter of Map Revision to FEMA for updating the City of La Grande and Union County floodplain maps.

## **COUNCIL DISCUSSION**

LILLARD expressed that he liked the idea of the City offering assistance somehow, but he was having a hard time voting yes without knowing how the City could assist, to which Mayor CLEMENTS agreed with LILLARD but added

that since the process would take approximately two (2) more years to finalize the maps with FEMA, he felt that there was enough time to come up with a plan on how the City could help property owners further in the process.

In response to the Council's interest in assuring funding to assist property owners who needed to survey their property as part of the Elevation Certificate process as part of approving the LOMR, STROPE stated that the current Council could not commit a future Council. However, he noted that a number of the current Councilors' terms do not end prior to the anticipated two-year timeframe for the FEMA process. He felt there would likely be support for providing financial support for conducting the surveys as part of the Elevation Certification process. STROPE noted that the City could offer financial assistance at the point in the process when the map was finalized with FEMA in conjunction with the final decision for map approval that the City Council has to make before the new map takes effect.

#### VOTE

MSC. FIVE (5) of the SIX (6) Councilors present voted in the affirmative; LILLARD voted in opposition.

- b. Consider: Resolution: *Authorizing the Transfer* of Appropriations within the Fiscal Year 2020-2021

#### STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE noted that the City Council was being asked to approve a transfer of Contingency to the Council/Manager's Budget to cover expenses related to the COVID-19 Pandemic. The Council adopted a budget with \$250,000 for COVID-19 support, which included the emergency loan program. Subsequently the City received grant funding through Business Oregon for COVID-19 assistance to businesses that was not anticipated, as well as over \$370,628 of CARES funding to reimburse the City for COVID related expenses, such as PPE and physical improvements to make City facilities safer. Those costs were initially incurred by the departments but later the expenditures were moved to the Council/Manager's Budget, significantly increasing the expenditures. As of the end of May, 2021, a total of \$351,566 had been expended against the \$250,000 budgeted lines. In order to prevent expenditures exceeding appropriations, the City Council must approve transferring funds from the City's General Fund Contingency to the Council, City Manager, and Personnel Department Budget in the amount of \$100,000.

STROPE stated this would bring the amount budgeted for Materials and Services to \$1,045,303 and the total appropriation for Council, City Manager and Personnel to



\$1,667,657 (excluding Interfund transfers). The total budgeted in Contingencies for Fiscal Year 2020-21 was \$500,000.

**PUBLIC COMMENT**

None

**COUNCIL DISCUSSION**

None

**MOTION**

The following Motion was introduced by BOZARTH; LILLARD providing the Second:

**MOTION:** I move that the proposed Resolution authorizing the appropriation of contingency to the City Manager's budget be Read by Title Only, Put to a Vote, and Passed.

**COUNCIL DISCUSSION**

In response to Mayor CLEMENTS' request for clarification on why this action needed to be taken, STROPE stated that under Oregon Budget Law, the City Council, by Resolution, has to move money from contingency into the budget to cover these unbudgeted expenses.

Upon Mayor CLEMENTS' request, the City Recorder read the Proposed Resolution by Title Only.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE FISCAL YEAR 2020 - 2021 BUDGET [4809]**

**VOTE**

**MSC.** SIX (6) of the SIX (6) Councilors present voted in the affirmative.

MIESNER mentioned that there was a question from Matt COOPER posted in the ZOOM Chat during the meeting. Matt COOPER asked if there was any accounting for the flooding that occurred on the west end of C Street, to which CARPENTER volunteered to reach out by email after the meeting and answer his question.

There being no further business to come before the Council, Mayor CLEMENTS adjourned the Special Session of the City Council at 8:05 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, July 7, 2021, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

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Stacey Stockhoff  
Assistant to the City Manager

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Stephen E. Clements  
Mayor

**APPROVED:** \_\_\_\_\_