

## **CALL TO ORDER**

The April 15, 2025, regular meeting of the Whittier City Council was called to order at 7:06 p.m. by Mayor Blair.

## **OPENING CEREMONY**

Mayor Blair led the pledge of allegiance to the flag.

## **ROLL CALL**

There were present:

Daniel Blair, presiding, and  
Renner Macal tao, Peter Denmark, Victor Shen, and David Pinquoch (virtual),  
comprising a quorum of the Board.

And Absent:

Tom Wagner  
Dave Dickason

Also Present:

Jackie C. Wilde, City Manager  
Adison Spafford, Assistant City Manager  
Kris Erchinger, Finance Director  
Scott Korbe, Public Works  
David Borg, Harbormaster  
Jason Cates, Fire Chief  
Andre Achee, Public Safety Director  
Shelby Carlson, City Clerk  
Holly Wells, City Attorney (virtual)

**Motion (Denmark/Shen)**

Excuse Dave Dickason and Tom Wagner  
from tonight's meeting.

**Motion Passed**

Unanimous

**CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS  
SCHEDULED FOR PUBLIC HEARING – None**

**APPROVAL OF THE REGULAR MEETING AGENDA AND CONSENT  
AGENDA**

**Motion (Shen/Denmark)**

Approve Agenda and Consent Agenda

**Motion to Amend (Shen/Denmark)**

Amend the agenda and consent agenda by  
adding Resolutions 7 – 14 onto consent  
agenda.

**Motion to Amend Passed**

Unanimous

**Motion Passed as Amended**

Unanimous

*Items Approved on Consent Agenda:*

- \*Resolution 2025-015 Authorizing the Participation of City of Whittier in the Alaska Public Risk Alliance
- \*Resolution 2025-016 Authorizing Signatories for All City Bank, Investment and Credit Card Accounts and Rescinding All Previous Resolutions in Conflict Herewith
- \*Resolution 2025-017 Retroactively Amending the 2024 Budget to Record Expenditures of \$75,391.03 Paid by the State of Alaska on Behalf of the City Toward the City's Public Employees Retirement System Liability for the Period January Through December, 2024, and Appropriating Funds
- \*Resolution 2025-018 Authorizing the City Manager to Accept Grant Funds in the Amount of \$75,000 from the State of Alaska DEC SRF-DWSRF Program for the Purchase of a Water/Wastewater Utility Backup Generator, and Appropriating Funds
- \*Resolution 2025-019 Approving a License for the Use and Occupancy of Railroad Caboose No. 1076 to the United States Coast Guard Auxiliary for Their Training Station to Conduct Operations and Offer General Boating Safety Resources for Seafarers in Whittier, Alaska
- \*Approval of the March 17, 2025 Special Meeting Minutes
- \*Approval of the March 18, 2025 Regular Meeting Minutes
- \*Non-Objection to Renewal of Inn at Whittier Alcohol License

**CONFLICT OF INTEREST – None**

**PRESENTATIONS AND REPORTS**

**Presentations**

**Alaska Marine Lines – Blair** presented an award of Appreciation for Community Support to representatives from Alaska Marine Lines.

**Years of Service Award – Wilde** presented an award to David Borg for five years of service with the City of Whittier.

**Mayor Report – None**

**Vice Mayor Report – None**

**City Manager Report – Wilde** invited Don Stevens to provide a report for the Prince William Sound Aquaculture association. She shared highlights from her written report, including takeaways from the Seatrade Cruise Global event, Alaska Railroad land purchase updates, a visit from the U.S. Department of Transportation regarding Delong Dock, and the upcoming Alaska Infrastructure Development Symposium. **Erchinger** reported the City had received a \$920,000 grant from the Denali Commission to match the federal funds received from U.S. Department of Transportation for the Shotgun Cove Road construction project. **Wilde** also announced the current and upcoming job vacancies. **Blair** asked several questions, including about the DOWL safety study for the corridor between the tunnel and ferry terminal; Administration confirmed the \$450,000 contract is funded directly by DOT. DOWL is also leading the Transportation Master Plan, with the Safe Streets for All initiative to be incorporated as an amendment to avoid duplication. In response to a question about harbor material costs, the Harbormaster stated that all

materials have been sourced and no tariff-related increases are anticipated. Regarding the P-12 property, staff confirmed hearing rumors of a purchase but had not received official confirmation.

## **PUBLIC HEARINGS – None**

## **NEW BUSINESS**

### **ORDINANCES FOR INTRODUCTION**

**ORDINANCE 2025-002** Amending Whittier Municipal Code 2.08.330(A) to Authorize Introduction of Resolutions by the City Manager, Mayor, or Two Council Members

**Motion (Macal tao/Denmark)**

Introduce **Ordinance 2025-002** and set for public hearing at the May 20, 2025 regular meeting.

**Motion Passed**

**Unanimous**

### **RESOLUTIONS**

**RESOLUTION 2025-014** Authorizing the City Manager to Submit the Proposal to Purchase Alaska Railroad Corporation Lands

**Motion (Macal tao/Shen)**

Approve **Resolution 2025-014**.

**Wilde** provided a staff report, noting small changes of less than five acres to the proposed parcels to be purchased from the Alaska Railroad Corporation. Approval allows the proposal to proceed to the Railroad's Lands Committee, and potentially to the legislature in May. **Wilde** clarified the resolution pertains only to the specified parcels and does not include additional land or abolish the master lease at this stage, though that remains the long-term goal. One lease involving the DOT-controlled airstrip is under active negotiation. Legal counsel noted the sale is subject to valid existing rights, and staff confirmed no other leaseholds are currently in question.

**Motion Passed**

**Unanimous**

### **OTHER NEW BUSINESS**

#### **Discussion of City Attorney Solicitation**

Council revisited prior direction regarding a potential RFP for general legal counsel. **Wells** explained the suggestion originally came from legal counsel, based on the principle that, after over a decade of service, it's good public practice to test the market and ensure the City is getting strong value for its legal services. Additionally, **Wells** noted the City might benefit from exploring options such as continuing with Birch Horton Bittner & Cherot (BHBC) for specialized work while hiring a separate firm for general legal services. **Wells** also noted that, if the City encounters a time-sensitive issue and BHBC cannot respond quickly enough, the firm could explore hiring a contract attorney to address the matter under the existing agreement's terms. Council discussed whether the change was necessary, with several members and staff noting the City's current legal needs remain high and that BHBC has deep knowledge of ongoing

projects. **Erchinger** emphasized past legal overruns were driven by Council-approved priorities, not inefficiencies. **Wells** affirmed BHBC's commitment to the City and shared that additional attorneys have been hired to support the workload. **Wells** emphasized the importance of maintaining the firm's credibility with both Council and Administration, stating that if the firm ever perceive their legal advice is no longer serving the community as a whole, they would bring that concern to Council.

**Motion (Denmark/Macal tao)**

Rescind direction to Administration to send out an RFP for a new general counsel city attorney.

**Motion Passed**

**Unanimous**

**May DC Agenda** *(requested by Blair)*

**Blair** voiced concerns that he did not have a good understanding of the City's objectives for their trip to Washington, D.C. **Wilde** requested a meeting with **Blair** and **Shen** to prepare for the trip and provided a summary of the offices the federal lobbyist was coordinating for the City.

**Whittier Local Police Presence** *(requested by Blair)*

**Blair** raised concerns about a recent day involving multiple public safety incidents and limited police presence in town. **Achee** explained that both officers were responding to a felony call in Girdwood at the time but returned and responded as soon as they were dispatched. He emphasized that residents should always call 911 in emergencies and noted that staffing and response depend on the overall call volume across communities. **Achee** also provided an update on the transition of dispatch service providers.

**COUNCIL COMMENTS**

**Shen** thanked Administration for its efforts in obtaining grants. He requested a future work session or executive session, if necessary, to discuss the stipulations of the municipal entitlement land conveyances for lands around Shotgun Cove, and what use patterns may be impacted by the construction of the road. He noted that Whittier's entitlement conditions appear unusually restrictive compared to other municipalities and questioned why those constraints exist. **Wells** confirmed that the origin of the conditions remains unclear despite prior inquiries and stated that Whittier's case appears unique. **Shen** encouraged renewed dialogue with DNR to explore whether the deed restrictions could be modified or removed, given the City's strong working relationship with the department.

**Blair** requested a special meeting on April 29 at 6:00 p.m. to consider a resolution of support for members of Whittier's American Samoan community currently involved in legal proceedings. He emphasized the importance of presenting a unified message, reaffirming the City's values and constitutional commitments, while remaining within the scope of the Council's authority. **Blair** stated that any resolution would be reviewed with legal counsel and Administration to ensure it does not interfere with active investigations or the City's legal obligations. **Wells** advised that the meeting would require careful navigation, given the City's role in administering elections and complying with state law. She noted the Council could also use the opportunity to consider supporting legislative changes that reflect the interests of Whittier's residents, including those related to voting access. She clarified that multiple issues—public records appeals, voting rights,

and the City's role in state investigations—should be addressed separately to avoid overlap that could create legal risk.

There was no objection to tentatively hold the special meeting on April 29 at 6:00 p.m., pending a formal call by the Mayor.

## **CITIZEN DISCUSSION**

**Rachel Wagner** thanked the City for its support of building a new playground and prioritizing the community's youth. She also thanked the Parks and Recreation Committee for coordinating the art around town.

## **COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS – None**

## **EXECUTIVE SESSION**

**Discuss legal action against the State of Alaska Department of Public Safety and potential appeal of denial of public records request**, matters of which, if immediately disclosed, would tend to adversely affect the finances of the City (WMC 2.08.040(B)(1)) and matters of pending or anticipated litigation (2.08.040(C))

### **Motion (Denmark/Shen)**

Enter into executive session to discuss legal action against the State of Alaska Department of Public Safety and potential appeal of denial of public records request as per WMC 2.08.040(B)(1) and (C).

### **Motion Passed**

**Unanimous**

The City Attorney and City Manager were asked to stay for Executive Session.

The Council went into executive session at 9:04 p.m.

### **Motion (Shen/Macal tao)**

Motion to exit executive session.

### **Motion Passed**

**Unanimous**

The Council came out of executive session at 9:31 p.m.

### **Motion (Shen/Macal tao)**

Motion to direct legal counsel to move forward with items discussed in Executive Session.

### **Motion Passed**

**Unanimous**

## **ADJOURNMENT**

The meeting adjourned at 9:33 p.m.

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**Shelby Carlson**  
City Clerk

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**Daniel Blair**  
Mayor

(City Seal)

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