

CALL TO ORDER

The July 1, 2026, special meeting of the Whittier City Council was called to order at 6:01 p.m. by Mayor Shen.

OPENING CEREMONY

Mayor Shen led the pledge of allegiance to the flag.

ROLL CALL

There were present:

Victor Shen, presiding, and
David Pinquoch, Lorianne Borg, Jamie Loan, Peter Denmark, Renner Macal tao, and Tom Wagner, comprising a quorum of the Board.

Also Present:

Jackie C. Wilde, City Manager
Shelby Carlson, Assistant City Manager/Acting City Clerk
Kristin Erchinger, Finance Director
David Borg, Harbormaster
Scott Korbe, Public Works Director
Jason Cates, Fire Chief
Holly Wells, City Attorney (virtual)

CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING

Eric Fleming spoke regarding the lawsuit against him for building a driveway without proper permitting.

Nick Olzenak commented on commercial lease policies and the importance of consistent application of municipal code.

Larry Gilman commented on land use permitting and communication between the City and the business community.

Kelly Bender commented on commercial lease expiration procedures and requested reconsideration of related lease ordinance provisions.

Mike Bender commented on commercial lease administration and emphasized the importance of communication between the City and leaseholders.

Gilman again commented on lease matters and the importance of stakeholder input.

Denmark arrived at 6:04 p.m.

APPROVAL OF THE SPECIAL AGENDA

Motion (Wagner/Denmark)

Approval of Special Agenda

General discussion given regarding Item 1, Council Discussion Regarding Governance, Communication, and Administrative Processes.

Motion Passed

Unanimous

CONFLICT OF INTEREST

Denmark declared a potential substantial financial conflict of interest in leases. **Wells** advised Denmark recuse himself from anything involving leasing of the area he leases.

Motion

Does Mr. Denmark have a substantial financial conflict of interest in Item 1 based on the advice of legal counsel?

Motion Failed

AYES: Loan, Borg, Shen

NOES: Pinguoch, Macal tao, Denmark, Wagner

The Council found that Mr. Denmark did not have a substantial financial conflict of interest.

Shen declared a potential substantial financial conflict of interest in leases. **Wells** clarified that the state law conflict of interest provisions do not apply to all municipalities, and specifically not to Whittier as the City has adopted its own conflict of interest provisions.

Motion

Does Mr. Shen have a substantial financial conflict of interest in Item 1?

Motion Failed

AYES: Pinguoch

NOES: Wagner, Macal tao, Loan, Borg, Denmark, Shen

SPECIAL MEETING BUSINESS

Council Discussion Regarding Governance, Communication, and Administrative Processes
General discussion given regarding expired leases.

Motion (Wagner/Pinguoch)

Direct legal counsel to prepare a Resolution to make Lot 12, Harbor Triangle, Lot 13, Harbor Triangle, Lot 2, Harbor View, Lot 3, Harbor View, Lot 4, Harbor View, and Lot 5A, Harbor View unavailable for leasing until October 1, 2026 and an Ordinance adopting an application for an exemption process for the specified lease parcels as per Council Member Wagner's direction.

Motion Passed

AYES: Wagner, Pinguoch, Loan, Macal tao, Denmark, Shen

NOES: Borg

General discussion continued regarding expired leases.

Motion (Pinguoch/Wagner)

Direct legal counsel to review ordinance submitted by Council Members Pinguoch and Wagner in time for the July 21 Regular Meeting.

Motion Passed

AYES: Pinguoch, Wagner, Macaldao, Loan, Denmark
NOES: Borg, Shen

General discussion continued. There was no objection to scheduling a work session on the standardized lease template work session on July 14, 2026.

COUNCIL COMMENTS

Pinguoch questioned whether certain public statements and family involvement in lease matters could constitute a conflict of interest and affect Councilmember Borg's ability to vote on lease issues. **Wells** stated that no conflict of interest existed and that the concerns raised reflected policy disagreements rather than a disqualifying interest.

Loan commented that similar concerns had arisen previously regarding social media posts.

Pinguoch stated that he had been asked to raise the question.

CITIZEN DISCUSSION

Eric Fleming spoke regarding the lawsuit against him for building a driveway without proper permitting.

Kelly Bender described the lease discussions as stressful and personally impactful, encouraged respectful public communication, and expressed the view that elected officials should exercise care in their use of social media.

Wagner apologized for prematurely distributing his meeting request letter directly to council members instead of waiting for distribution through administration.

EXECUTIVE SESSION

Discuss enforcement actions regarding R.C. Collin and Eric Fleming, as per WMC 2.08.040(C).

General discussion given.

Motion (Wagner/Denmark)

Motion to enter into executive session.

The City Manager, Assistant City Manager, Harbormaster, Finance Director, Public Works Director, and City Attorney were asked to stay for the executive session.

Motion Passed

Unanimous

The Council went into executive session at 8:31 p.m.

Motion (Wagner/Loan)

Motion to exit executive session.

Motion Passed

Unanimous

The Council came out of executive session at 9:21 p.m.

Motion (Wagner/Macal tao)

Schedule a special meeting with an executive session to discuss litigation against R.C. Collin.

Motion Passed

Unanimous

ADJOURNMENT

The meeting adjourned at 9:25 p.m.

Shelby Carlson
Acting City Clerk

Victor Shen
Mayor

(City Seal)