

CALL TO ORDER

The August 19, 2026, regular meeting of the Whittier City Council was called to order at 7:03 p.m. by Mayor Shen.

OPENING CEREMONY

Mayor Shen led the pledge of allegiance to the flag.

Mayor Shen asked for a moment of silence for the losses the community experienced this week.

ROLL CALL

There were present:

Victor Shen, presiding, and
Peter Denmark, David Pinquoch, Jamie Loan, Lorianne Borg, and Tom Wagner (virtual), comprising a quorum of the Board.

And Absent:

Renner Macal tao

Also Present:

Jackie C. Wilde, City Manager
Kristin Erchinger, Finance Director
David Borg, Harbormaster
Andre Achee, Police Chief
Jason Cates, Fire Chief
Shelby Carlson, Assistant City Manager/Acting City Clerk
Holly Wells, City Attorney

Motion (Denmark/Loan)

Excuse Renner Macal tao from the 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 (Borg/Denmark)

Approve Agenda and Consent Agenda

Denmark removed Item 12, Resolution 2026-039, from the consent agenda.

Motion Passed

Unanimous

Items Approved on Consent Agenda:

9. *Introduce Non-Code Ordinance 2026-006 Authorizing the Purchase and Installation of Chain-Link Fencing Surrounding Harbor Dumpsters from Maisey Fence LLC in an Amount Not to Exceed \$9,721.99 and Appropriating Funds and set for public hearing at tonight's meeting
10. *Resolution 2026-037 Appointing the City Election Officials for the October 6, 2026 General Election, Setting the Date for Counting Absentee Ballots, and Establishing Election Official Compensation
15. *Approval of the July 1, 2026 Special Meeting Minutes
16. *Approval of the July 21, 2026 Regular Meeting Minutes

CONFLICT OF INTEREST

Denmark declared a potential conflict of interest in leases (Items 7, 11). **Wells** advised Denmark that if Council determines he has a conflict of interest, he cannot participate in voting or discussion as a Council member and recommended he share his perspective as a member of the public.

Motion

Does Mr. Denmark have a conflict of interest in Items 7, 11?

Motion Passed

Unanimous

The Council found that Mr. Denmark did have a conflict of interest in Items 7, 11.

Shen declared a potential conflict of interest in Items 7 and 11.

Motion

Does Mr. Shen have a conflict of interest in Items 7, 11?

Motion Passed

AYES: Pinquoch, Wagner, Loan, Borg, Shen
NOES: Denmark

The Council found that Mr. Shen did have a conflict of interest in Items 7, 11.

PRESENTATIONS AND REPORTS

Presentations

ENSTAR Natural Gas Company provided an update on the August pipeline rupture affecting natural gas service to Whittier, outlining efforts to procure and install a temporary LNG supply system, plans for permanent pipeline replacement beneath the Twenty Mile River, and coordination with local, state, and federal partners to expedite restoration of service.

Federal lobbyist Sebastian O'Kelly provided an update on federal advocacy efforts, including progress on Buckner Building funding and remediation, Shotgun Cove Road funding and construction, pending federal funding requests for transportation improvements and a new ambulance, and the status of the federal appropriations process.

D. Borg presented letters **Recognizing Whittier Harbor Staff for their Assistance to the Alaska Department of Public Safety** and acknowledged the contributions of Whittier Police Department, Officer Timothy Sampson, Officer Lloyd Willis, and other staff, including Scott Korbe and Ross Carlson.

Mayor Report – Shen shared information about the City's Brownfields Program and encouraged feedback on other potentially contaminated sites. He also encouraged those impacted by the

ENSTAR natural gas outage to complete the City's survey. **D. Borg** added the Harbor is offering free shower tokens to residents.

Vice Mayor Report – Denmark thanked those with hot water for offering their homes and facilities to those who do not.

City Manager Report – Wilde noted ENSTAR will need a person on-site when they are ready to re-gasify each user and asked that users reach out to ENSTAR to update their contact information. **Erchinger** reported progress on budget preparation and capital improvement plan updates, discussed upcoming budget workshops, highlighted increased ambulance service revenue collections, and outlined plans to reserve cruise ship lease revenues pending establishment of a permanent fund. **Carlson** announced the candidates for Council Seats E and F and encouraged all to sign up for Nixle alerts by texting 99693 to 888777. **Erchinger** reported that state and federal officials had accepted the City's amendments to its ground transportation fee ordinance and that concerns previously raised regarding the fee had been resolved. General discussion given.

City Attorney Report – Wells noted the written report was included in the packet. **Shen** inquired about the progress of the Fleming injunction. **Wells** noted she was not the lead attorney on the case and that there had been many filings made by Mr. Fleming after the courts issued its decisions.

PUBLIC HEARINGS

Non-Code Ordinance 2026-004 A Non-Code Ordinance Exempting Incumbent Leaseholders and Sublessees of City Property Interests from Whittier Municipal Code 3.38.480 and Adopting an Application Process that Allows Such Lessees and Sublessees to Apply for Direct Negotiation of a New Lease with the City on the Same Property Leased or Subleased by Applicants So Long as the Lease or Sublease Expired or Will Expire in 2026 and the Application is Received within 14 Days of the Effective Date of this Ordinance

Public Hearing Opened at 8:00 p.m.

Kelly Bender spoke in favor of the ordinance.

Public Hearing Closed at 8:05 p.m.

Motion (Pinquoch/Wagner)

Adopt **Non-Code Ordinance 2026-004**.

Wells provided a staff report. General discussion given. **Wilde** provided additional context. General discussion continued.

There was no objection to relax the rules to allow for additional citizen comments.

Kelly Bender asked for additional clarification on Wells' statement that Resolution 2026-038 would create a faster process than this ordinance. **Wells** responded.

Motion Failed

AYES: Pinquoch, Wagner

NOES: Loan, Borg

ABSTAIN: Denmark, Shen

Emergency Ordinance 2026-006 A Non-Code Ordinance Authorizing the Purchase and Installation of Chain-Link Fencing Surrounding Harbor Dumpsters from Maisey Fence LLC in an Amount Not to Exceed \$9,721.99 and Appropriating Funds

Public Hearing Opened at 8:30 p.m.

No public comments were provided.

Public Hearing Closed at 8:31 p.m.

Motion (Loan/Borg)

Adopt **Non-Code Ordinance 2026-006**.

Harbormaster Borg provided a staff report.

Motion to Amend (Pinguoch/Wagner) Amend **Non-Code Ordinance 2026-006** as follows:

1. Add the word "Emergency" before "Ordinance" on line 7; and
2. Amend the title of the ordinance to:
 - a. Add an "n" after "a" and add the word "Emergency" after "an" and before the word "Ordinance" on line 9
 - b. Add the words "to Address an Emergency Public Hazard Created by Increased Bear Presence in Whittier" after the word "Funds" on line 12; and
3. Remove the fourth Whereas clause and add two Whereas clauses that read as follows:
 - a. "Whereas, the City Manager has declared and City Council confirms that an emergency exists regarding the increase of bear presence in the City necessitating the approval of emergency purchase of fencing; and"
 - b. "Whereas, steps have been taken by Harbor staff to solicit competing quotes from three reputable companies, with a recommendation to award the contract to the lowest bidder."; and
4. Amend Section 1 to add an "n" after "a" and the word "emergency" before the word "non-code" on line 37; and
5. Amend Section 4 to add the words "and shall be effective for 60 days" after the word "adoption" on line 49.

General discussion given.

Motion to Amend Passed

Unanimous

Motion Passed as Amended

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

RESOLUTIONS

Resolution 2026-038 A Resolution Declaring Certain City Property Interests Available for Lease, Rejecting Competitive Bidding for Those Property Interests, Adopting the Lease Application Process for Those Property Interests, and Establishing Criteria for Review of Lease Applications on Those Properties

Motion (Borg/Loan)

Approve **Resolution 2026-038**.

Wilde provided a staff report. General discussion given.

Motion Passed

AYES: Borg, Loan, Wagner, Pinguoch

ABSTAIN: Denmark, Shen

Resolution 2026-039 A Resolution Authorizing Up to \$150,000 in City In-Kind Support and a \$100,000 Financial Contribution to the Nonprofit USS Ted Stevens Commissioning Committee to Support Commissioning Events, the Ship's Crew and Their Families, Public Safety, Community Readiness, and Communitywide Activities Associated with the Commissioning

Motion (Borg/Loan)

Approve **Resolution 2026-039**.

Wilde provided a staff report. General discussion given.

Motion to Amend (Denmark/Pinguoch) Amend **Resolution 2026-039** to limit financial contribution to \$20,000.

General discussion given. There was no objection to relaxing the rules to allow a representative of the Commissioning Committee to speak. **Cherie Curry** spoke in support and noted the State of Alaska had donated \$100,000 for a post-commissioning reception, which will cost \$120,000 overall.

Motion to Amend Passed

AYES: Denmark, Pinguoch, Borg,
Shen

NOES: Loan, Wagner

General discussion continued.

Motion Passed as Amended

AYES: Borg, Loan, Denmark, Pinguoch, Shen

NOES: Wagner

Resolution 2026-040 A Resolution Awarding a Professional Services Contract for Land Appraisal Services and Appropriating Funds

Motion (Borg/Denmark)

Approve **Resolution 2026-040**.

Wilde provided a staff report. General discussion given.

Motion to Amend (Pinguoch/Loan)

Amend **Resolution 2026-040** to insert "in an amount not to exceed \$89,900" in line 9 after the word "services".

General discussion given.

Motion to Amend Passed

Unanimous

Motion Passed as Amended

Unanimous

Resolution 2026-041 A Resolution Authorizing the City Manager to Execute a Contract to Engineer and Install Playground Equipment at Whittier Falls Park in an Amount Not to Exceed \$80,000 and Appropriating Funds

Motion (Borg/Loan)

Approve **Resolution 2026-041**.

Wilde provided a staff report. General discussion given.

Motion Passed

Unanimous

OTHER NEW BUSINESS

Alaska Municipal League Annual Conference (December 7-11)

Shen and **Wilde** encouraged Council members to attend. **Carlson** requested members notify the Clerk by September 1st, the end of Early Bird Registration, if possible.

AMHS Winter Ferry Schedule Letter of Support

Council discussed concerns regarding proposed Alaska Marine Highway service reductions that would leave Prince William Sound without ferry service for much of the winter and expressed support for submitting a resolution and letter advocating for continued ferry service to the region.

Motion (Denmark/Loan)

Direct the City Manager to draft a resolution and a letter in support of winter ferry services.

Motion Passed

Unanimous

COUNCIL COMMENTS

Pinguoch asked questions regarding candidate filing requirements, the omission of a financial disclosure form from nomination packets, the election appeal process, and options available to candidates whose filing materials were determined to be incomplete.

Shen encouraged community participation in the commissioning of the USS Ted Stevens, including volunteering, hosting sailors, attending events, and supporting the commissioning committee's fundraising efforts.

CITIZEN DISCUSSION

Representative Ky Holland provided legislative updates on advocacy for Alaska Marine Highway System funding and recognition as essential transit infrastructure, election access issues, statewide energy reliability discussions, and efforts to address natural hazard risks affecting transportation access and community resilience.

Deaconess Jen Miller offered a shower trailer and supplies to provide temporary assistance to residents impacted by the natural gas outage and loss of hot water service.

COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS

Council Member Wagner exited the meeting at 10:14pm.

Shen thanked the deaconess for the shower trailer.

Wilde committed to getting the shower trailer set up.

EXECUTIVE SESSION

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

General discussion given.

Motion (Loan/Borg)

Motion to enter into executive session.

The City Manager and Assistant City Manager were asked to stay for the executive session.

Motion Passed

Unanimous

The Council went into executive session at 10:17 p.m.

Motion (Loan/Borg)

Motion to exit executive session.

Motion Passed

Unanimous

The Council came out of executive session at 10:36 p.m.

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

Motion (Denmark/Borg)

Motion to enter into executive session.

Wilde recommending postponing the executive session to the next meeting to allow Wagner to attend. General discussion given.

Motion Failed

AYES: Denmark, Pinquoch, Shen
NOES: Loan, Borg

ADJOURNMENT

The meeting adjourned at 10:41 p.m.

Shelby Carlson
Acting City Clerk

Victor Shen
Mayor

(City Seal)