

CALL TO ORDER

The April 21, 2026, special meeting of the Whittier City Council was called to order at 5:37 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 Pinguoch, Lorianne Borg, Jamie Loan, and Tom Wagner, comprising a quorum of the Board.

And Absent:

Peter Denmark and Renner Macal tao.

Also Present:

Jackie C. Wilde, City Manager
Shelby Carlson, Assistant City Manager/Acting City Clerk
Kristin Erchinger, Finance Director
David Borg, Harbormaster
Holly Wells, City Attorney
Richard Moses, City Attorney
Michael Schwarz, City Attorney

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

APPROVAL OF THE SPECIAL AGENDA

Motion (Borg/Wagner)

Approval of Special Agenda

Motion Passed

Unanimous

CONFLICT OF INTEREST

Does Mr. Shen have a substantial financial conflict of interest in the executive sessions to discuss leases?

Motion Failed

Unanimous

The Council determined **Shen** did not have a substantial financial conflict of interest in the executive sessions to discuss leases.

SPECIAL MEETING BUSINESS – None

COUNCIL COMMENTS – None

CITIZEN DISCUSSION – None

COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS – None

EXECUTIVE SESSION

Discuss a lease between the City and R.C. Collin, as per WMC 2.08.040(B)(1), matters that, if immediately disclosed, would tend to adversely affect the finances of the city.

Motion (Wagner/Loan)

Motion to enter into executive session.

Pinguoch asked if Shen’s relationship with a lessee was a conflict. **Wells** advised that the conflict analysis is viewed from the council member’s perspective. Under the City’s code definition, “immediate family member” includes a person’s child, but not their parent. However, Wells also advised considering common law and due process: would a reasonable person think the council member could be influenced? In a small community like Whittier, Wells said it is generally more practical to limit conflicts to the council member’s immediate household, or it becomes difficult to get disinterested votes.

CONFLICT OF INTEREST

Pinguoch declared that he had a power of attorney for R.C. Collin. **Wells** advised it would not be appropriate for him to enter executive session or vote on the matters regarding R.C. Collin’s leases.

Does Mr. Pinguoch have a conflict of interest in the executive session to discuss R.C. Collin’s leases?

Motion Passed

Unanimous

The Council determined **Pinguoch** did have a conflict of interest in the executive session to discuss R.C. Collin’s leases.

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

Motion Passed

Unanimous

The Council went into executive session at 6:00 p.m.

Motion (Loan/Wagner)

Motion to exit executive session.

Motion Passed

Unanimous

The Council came out of executive session at 6:41 p.m.

Motion (Wagner/Borg)

Authorize and require the City Administration, with City Attorney assistance, to enforce the terms of the leases #90089, #90028, and #90015 between R.C. Collin and the City and to pursue remedies available under the leases or at law, including without limitation, termination.

Motion Passed

Unanimous

Leases, as per WMC 2.08.040(B)(1), matters that, if immediately disclosed, would tend to adversely affect the finances of the city.

Motion (Loan/Wagner)

Motion to enter into executive session.

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

Motion Passed

Unanimous

The Council went into executive session at 6:44 p.m.

Motion (Loan/Wagner)

Motion to exit executive session.

Motion Passed

Unanimous

The Council came out of executive session at 7:04 p.m.

ADJOURNMENT

The meeting adjourned at 7:08 p.m.

Shelby Carlson
Acting City Clerk

Victor Shen
Mayor

(City Seal)