

## **CALL TO ORDER**

The April 21, 2026, regular meeting of the Whittier City Council was called to order at 7:14 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, Jamie Loan, Tom Wagner and Lorianne Borg, comprising a quorum of the Board.

And Absent:

Peter Denmark and Renner Macal tao

Also Present:

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

**Motion (Wagner/Borg)**

Excuse Peter Denmark and Renner Macal tao from the meeting.

**Motion Passed**

**Unanimous**

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

Mike Bender spoke on House Bill 366 and his leases, agenda items 16 and 17.

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

**Motion (Wagner/Loan)**

Approve Agenda and Consent Agenda

Shen added Item 11, Resolution 2026-019, to the consent agenda.

**Pinguoch** arrived at 7:18 p.m.

**Motion Passed**

**Unanimous**

*Items Approved on Consent Agenda:*

5. Non-Code Ordinance 2026-002 Suspending the Requirement that the City Adopt an Annual Land Allocation Plan Under WMC 3.38.330(B) Through (F) Until December 31, 2027 to Permit the Whittier City Council to Finalize Certain Land Holdings Within the City of Whittier Before Engaging in the Annual Land Allocation Plan Process
6. Resolution 2026-014 Establishing a 2026 Pilot Whittier Community Beautification Matching Grant Program, Establishing a Council Review Committee, Adopting Program Guidelines, and Appropriating Funds
7. Resolution 2026-015 Authorizing Acceptance of a Grant from the Alaska Highway Safety Office for the Purpose of Purchasing and Installing Police Vehicle TRACS System Software in the Amount of \$28,035 and Appropriating Matching Funds in the Amount of \$7,008.81 for a Total Project Amount Not to Exceed \$35,044
8. Resolution 2026-016 Authorizing the City Manager to Negotiate and Execute a Contract with AXON for Tasers, Body Cameras, and In-Car Video Equipment for a Ten Year Term
9. Resolution 2026-017 Expressing Support for the City of Whittier's Pursuit of Designation as a World War II Heritage City
10. Resolution 2026-018 Determining that Leasing a Parking Area to the Alaska Marine Highway System is in the Best Interest of the City of Whittier
11. Resolution 2026-019 Authorizing Additional Funding in the Amount of \$10,020 Under the Existing Term Contract with CRW Engineering Group, Inc. for an Expanded Feasibility Study and Stakeholder Coordination Related to Mountain Goat Court and Reservoir Road and Appropriating Funds
19. Approval of the March 17, 2026 Regular Meeting Minutes
20. Non-Objection to the Anchor Inn Alcohol License Renewal

**CONFLICT OF INTEREST**

Shen declared a potential substantial financial conflict interest in Items 15 and 20.

**Does Mr. Shen have a substantial financial conflict interest in Items 15 and 20?**

**Motion Failed**

**AYES:** Pinguoch

**NOES:** Loan, Borg, Wagner, Shen

**PRESENTATIONS AND REPORTS**

**Presentations**

1. **Wilde** presented the Monthly Wilde Manager's Award to Andrew Castagno.
2. **Shen** read a proclamation recognizing Kelly and Mike Bender's contributions to the City of Whittier and their recent Lifetime Achievement Award from Visit Anchorage.
3. **Officer Alex Huffman** presented the recently acquired parking enforcement tool, the Barnacle.

**Mayor Report** – Shen shared planning efforts for the annual Washington, D.C. trip and announced the community-wide cleanup week is May 10 – 16. He also noted the deck at Lu

Young park has partially collapsed and is no longer safe and asked the community not to utilize it.

**Vice Mayor Report** – None

**City Manager Report** – **Wilde** noted May 11 and 12 is the Prince William Sound Natural History Symposium. She shared the U.S. Department of Transportation, Maritime Administrator visited Whittier the week prior. **Wilde** reported that she was not allowed to represent the City's interests at the recent Begich Towers Incorporated homeowner's meeting and that the City would be pursuing legal action against them.

**PUBLIC HEARINGS** – None

**ORDINANCES FOR INTRODUCTION** – None

**RESOLUTIONS**

Resolution 2026-020 Establishing a Community Memorial Fund for the Purpose of Supporting the Development, Improvement, and Maintenance of Pavilions, Parks, Playgrounds, and Other Community Spaces Within the City of Whittier, and Appropriating Funds

**Motion (Borg/Wagner)** Approve **Resolution 2026-020**.

**Loan** and **Wilde** provided a staff report.

**Motion Passed** **Unanimous**

Resolution 2026-021 Amending the 2026 Budget to Remove the Use of CPV Funding for Water Well and Automation Project and Repurpose the Funds to Build a Year-Round Harbor Restroom Facility with Public Showers to Meet the Growing Demand for Public Restrooms Along Whittier's Waterfront

**Motion (Wagner/Borg)** Approve **Resolution 2026-021**.

**Erchinger** provided a staff report. General discussion given.

**Motion Passed** **Unanimous**

Resolution 2026-022 Accepting U.S. Environmental Protection Agency Brownfields Multipurpose Grant Funding, Authorizing the City Manager to Enter Into a Contract with NORTECH, Inc to Provide Qualified Environmental Professional and Project Management Services for the Whittier Brownfields Project, and Appropriating Funds

**Motion (Wagner/Borg)** Approve **Resolution 2026-022**.

**Carlson** provided a staff report.

**Motion Passed** **Unanimous**

Resolution 2026-023 Approving a Six-Month Extension of a Lease Agreement with Chou and Yenwen Shen and Authorizing the City Manager to Execute an Amendment Thereto

**Motion (Borg/Wagner)** Approve **Resolution 2026-023**.

**Wilde** provided a staff report. General discussion given. **Wells** clarified that there was no direction given in the previous executive session.

**Motion Failed** **AYES:** Pinguoch  
**NOES:** Borg, Wagner, Loan, Shen

Resolution 2026-024 Approving a Six-Month Extension of a Lease Agreement with Mike Bender and Authorizing the City Manager to Execute an Amendment Thereto

**Motion (Borg/Pinguoch)** Approve **Resolution 2026-024**.

**Wilde** provided a staff report.

**Motion Passed** **Unanimous**

Resolution 2026-025 Approving a Six-Month Extension of a Lease Agreement with MiKelly Whittier Enterprises f/k/a Lazy Otter Charters, Inc. and Authorizing the City Manager to Execute an Amendment Thereto

**Motion (Wagner/Pinguoch)** Approve **Resolution 2026-025**.

**Wilde** provided a staff report. General discussion given.

There was no objection to relaxing the rules to allow **Mike Bender** to speak to Resolution 2026-025. He spoke in favor of approving Resolution 2026-025.

General discussion given. **Wells** clarified that the City is not saying it would help the lessee win above others in a competitive bidding process. She noted the criteria for scoring lease proposals is designed to support longstanding relationships. General discussion given. **Wells** added that the Council could amend the resolution to direct the City to enter into a storage agreement within the boundaries of the City at no more than the current lease rate and remove the language that extends the lease.

**Motion Passed** **AYES:** Loan, Pinguoch, Wagner, Shen  
**NOES:** Borg

Resolution 2026-026 Approving a Six-Month Extension of a Lease Agreement with Phillips Cruises & Tours, LLC and Authorizing the City Manager to Execute an Amendment Thereto

**Motion (Wagner/Loan)** Approve **Resolution 2026-026**.

**Wilde** provided a staff report. General discussion given. **Wells** noted that if the lease terms do not promote the use of property solely for storage or storage in some capacity, the City has to look at that compliance before executing an amendment of those lease terms. General discussion continued.

**Motion Failed**

**AYES:** Pinguoch

**NOES:** Wagner, Loan, Borg, Shen

**OTHER NEW BUSINESS** – None

## **COUNCIL COMMENTS**

**Pinguoch** suggested switching from a sales tax on fuel to a flat fuel tax of a certain number of cents per gallon. He offered a hypothetical situation around procurement, asking if that would raise red flags to the Council, and responded to Council Member Borg's comments from a previous meeting. In response, **Wells** noted that compensation of employees has previously been addressed lawfully and recommended that the Council, if they desired to revisit the topic, schedule the topic for another meeting with proper notice. She stated the City Manager had requested legal review the aforementioned Facebook posts for propriety and legality to ensure the City was in compliance with the law and that she had determined the post to be lawful. Finally, she stated if the Council desired to discuss the issue of Council candidates who are related to or in a household with a staff member, she recommended the Council take that up in a future meeting in the form of an ordinance. She also noted it was appropriate for Council members to share their viewpoint during Council comments so long as the statements are not accusing any other member of unlawful conduct or stating something that is untrue.

**Wagner** revised his earlier comment regarding the building on the lease previously held by Phillips Cruises and Tours, LLC.

**Shen** asked how boaters should be viewed, as citizens or customers, and whether the Council represents them. He also discussed their impact.

## **CITIZEN DISCUSSION**

**Mike Bender** expressed his disappointment with the Council's decision to put his leases out to competitive bids after six months and noted the structures are all going away soon. He also expressed disappointment that the City did not have someone from Phillips come to speak to their expired lease. He also offered that the restroom issue could be solved with signage.

## **COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**Pinguoch** stated the inability to negotiate a new lease as an existing leaseholder devalues the desire for a business to purchase a lease in Whittier.

**Wilde** stated she would be reaching out to Mike and Kelly Bender in the next few days.

**Wagner** noted there does not seem to be anything in the lease or the municipal code that allows leases to automatically renew and in fact, it seemed to be the opposite. **Wilde** noted the provisions the Council adopted to update the lease code to include criteria to give the opportunity for expired leaseholders to be successful during the competitive bidding process.

There was no objection to allowing Mike Bender to speak. **Bender** clarified all opportunities to renew the lease had been utilized and stated they were extremely interested in continuing their leases.

**Pinguoch** noted a case in Hawaii in which the judge ruled that leases cannot just be taken away from the leaseholder.

**Carlson** clarified that the purpose of competitive bidding is to create fair opportunity to all, not to exclude previous leaseholders.

### **EXECUTIVE SESSION** – None

### **ADJOURNMENT**

The meeting adjourned at 9:05 p.m.

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**Shelby Carlson**  
Acting City Clerk

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**Victor Shen**  
Mayor

(City Seal)

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