

City of Prescott

City Council - Study Session



January 27, 2026 | 1:00 PM
201 N Montezuma Street
City Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Mayor Rusing called the meeting to order at 1:00 p.m.

2. ROLL CALL

Cathey Rusing - Mayor
Lois Fruhwirth - Mayor Pro Tem
Mary Frederickson - Councilwoman
Ted Gambogi - Councilman
Jim Garing - Councilman
Patrick Grady - Councilman
Jay Ruby - Councilman

3. DISCUSSION

- A. Presentation & Discussion Regarding Automated License Plate Readers in the City of Prescott.

Police Chief Amy Boney provided a presentation regarding the city's ALPR system and why it is an important investigative tool for policing. This system is used by agencies throughout the county, it captures images of license plates in public view.

What are ALPR Systems:

- * Designed for public safety
- * Read plate and basic vehicle attributes (color, type, decals)
- * Used nationwide by law enforcement
- * Focused on solving and preventing crimes
- * Multiple companies (Axon, Vigilent, Flock)

How Do They Work:

- * Cameras capture images of vehicles passing through fixed locations
- * System reads license plates and identifies vehicles attributes
- * Data is securely stored and searchable by law enforcement personnel only for those purposes only
- * Used in real-time investigative context

Can Do:

- * Identify vehicles associated with crimes
- * Assist in locating stolen vehicles
- * Support Amber, SAFE and Turquoise Alerts and missing persons cases

- * Provide leads in violent and property crime investigations
- * Notify agency when a wanted plate is encountered

Do Not Do:

- * Perform facial recognition
- * Identify or track individuals
- * Know ownership details
- * Monitor speed or reckless driving or criminal behaviors
- * Data free-for all; access is restricted, audited and governed by department policy and every search is logged and auditable
- * No facial recognition ever - does not have this capability, no biometric personal data is collected, no ability to identify drivers or passengers, cannot be modified to perform facial recognition, system is strictly vehicle based

City Attorney Joseph Young reviewed legal standards set by the Supreme Court and Case Law.

- * Core Legal Principle Expectation of Privacy
 - Under US Supreme Court precedent individuals have a reasonable expectation of privacy in certain places (such as their home) but not in what they knowingly expose in public
 - Vehicles traveling on public roadways fall squarely into the category of no reasonable expectation of privacy
 - US V. Knotts and US v. Karo related to monitoring movements in public spaces
 - Key Supreme Court Guidance: license plates are public identifiers required by law to be displayed, what is visible in public view is not protected by the Fourth Amendment, law enforcement may observe, record and use information that is lawfully visible from public spaces
 - There is no reasonable expectation of privacy in vehicle's location, movement or license plate while operating on public roads
 - ALPR technology does not create new legal authority; it simply makes lawful observations more efficient and accurate
 - The courts have repeatedly affirmed that technology assisting lawful observation does not change the legality of the observation
 - There is no reasonable expectation of privacy for license plates or vehicle movements

Why our Department Uses ALPR:

- * Increase investigative efficiency
- * Support proactive policing strategies
- * Faster identification of dangerous suspects
- * Quicker response times
- * Improved victim support
- * Enhanced situational awareness during critical incidents

Access Controls & Accountability:

- * Only trained and authorized personnel have access - password and two-factor authentication protection
- * Every search is logged and audited
- * Use is restricted to legitimate law enforcement purposes only

- * Misuse is subject to discipline and investigation up to and including termination, per department policy

Data Retention Policy:

- * All data automatically deleted after 30-days in the ALPR system for Flock and Axon
- * Retention period aligns with best practices and privacy standards
- * If associated with a crime, data is stored in evidence
- * Prescott PD owns the data, it is not sold to third parties

Department Policy:

- * Data is for law enforcement use only - policy defines who can use the system and how it is used
- * Department approved training required
- * Outlines approved use cases
- * Establishes accountability measures - all usage is audited
- * Ensure compliance with legal and ethical standards - access only by authorized personnel
- * Comprehensive policy on the use and access of the ALPRs and data

Public Safety Impact:

- * Supports proactive policing
- * Deters criminal activity
- * Enhances community safety
- * Assists in locating wanted subjects/suspects, missing persons, stolen vehicles and hit/run vehicles

Transparency & Trust:

- * Clear policies and oversight
- * Commitment to lawful and ethical use
- * Respect for civil liberties

Trevor Chandler Director of Public Affairs with Flock continued the discussion regarding endorsements for ALPR systems from MADD and other agencies in helping to solve crimes. He also reviewed accountability and transparency through the Transparency Portal:

- * Portal - is customizable for each agency, displays technology policies, and publishes usage metrics
- * Every search requires a registered ID with search reason and/or case number
- * Search reason and user ID are saved in a permanent audit trail
- * Flock encourages all agencies to have regular audits to ensure proper usage
- * Coming soon - proactive auditing to alert to potential misuse

Built with Privacy in Mind:

- * Data is owned by the customer/department and will never be sold
- * Private customers never have access to government data or "hotlists"
- * Flock automatically deletes data after 30-days by default
- * Flock has no access to personally identifiable information
- * Only your agency decides who to share with, not Flock
- * All data is stored with end-to-end encryption including - FBI, NDAA, SOC2

(Type II), SOC3, ISO 27001, Higher Education Community Vendor Assessment Tool (HECVAT) and FERPA

Chief Bonney continued with a discussion related to department statistics:

- * 2024 - LPR data was credited by officers in assisting cases resulting in 353 offenses charged

- * 2025 - LPR data was credited by officers in assisting cases resulting in 874 offenses charged

- * 2025 - LPR data searches were used by Prescott Regional Communications Center in assisting officers with 8,898 searches related to calls for service

- * Doubled clearance rate for hit and run

- * Fentanyl drug dealer arrested with 200 pills in possession

- * Overdose victim's vehicle located with suspect transporting cocaine

- * Sexual assault suspect vehicles located

- * Dangerous drugs and prescription fraud suspects located and arrested

- * Sexual exploitation of a minor wanted suspect located and arrested

- * Many more

Mayor Rusing commented that no public comment would be taken on this item, but the Council has received all the public's emails. She continued by reading the 1st and 4th amendments. She asked what the rationale was to discontinue Flock in Flagstaff and Sedona.

Mr. Chandler responded that overall conversations were around balancing privacy and public safety and much of the discussions in those cities centered around that. He can't speak to specifics about the jurisdictions, but he does believe those were reasons. The Norfolk case was decided today, and it was decided that LPRs are constitutional.

Councilman Gambogi thanked staff and Mr. Chandler for an excellent presentation. He reiterated that the cameras don't replace officer judgment or reasonable investigations.

Councilman Garing said that this is a public safety issue, and he is in favor of keeping the cameras.

Councilman Grady echoed the Council comments and thanked staff for addressing the questions that had been raised by members of the public.

Mayor Pro Tem Fruhwirth asked staff to address the costs.

Chief Bonney responded that it approximately equates to the salary of one officer, give or take and equates to a lot of time savings and efficiencies. It is a tool that is used in investigations, a similar concept to a photo lineup, so investigations still have to be conducted and confirmed.

Councilwoman Frederickson asked about legislation related to LPR and proposals for 90-day retention and whether the city would keep the 30-day retention or move to 90-day. She also asked about the pan-tilt zoom cameras.

Chief Bonney responded that the proposal will move to a committee next week with many adjustments, but the city would want to keep with the 30-day retention which they are able to do. The department has two movable or portable cameras that can be moved for investigative purposes, all others are at fixed intersections. The parking garage cameras are Vigilant and have been located for some time.

Administrative Coordinator Tommi Dow addressed the city-owned cameras in the parking garage which are city owned and used for investigation purposes.

Councilman Ruby thanked Chief Bonney and Mr. Chandler for the presentation. He recapped some of the concerns he has heard, including copying of data before it is deleted. He asked why the city is not sharing at a federal level.

Mr. Chandler responded that if cameras are having difficulty identifying something, engineers will look for circumstances when that happened and pull it without any identifying information to use for machine learning and improving accuracy.

Chief Bonney responded that the city is doing what makes sense for now as it relates to sharing, but that can be changed in the future if needs change.

This item was for discussion only, no formal action was taken.

B. Presentation & Discussion Regarding the Road to Centralization for the City's Wastewater Treatment.

Public Works Director Gwen Rowitsch provided a presentation to the Council regarding the city's road to centralization related to wastewater treatment. There are currently two treatment plants in the city and the plan is to consolidate into one. This process was approved by Resolution No. 4284-1493 in April 2015 and is a Council driven initiative involving multiple projects designed to consolidate wastewater treatment into a single, large treatment plant at the Airport Water Reclamation Facility (AWRF).

Utilities Manager Steve Olfers reviewed the two existing wastewater treatment facilities.

Sundog Wastewater Treatment Plant:

- * Constructed in 1955 in what was an industrial area north of town
- * Upgraded in 1989, 1999 and 2013
- * Treatment capacity is 3 mgd

Airport Water Reclamation Facility:

- * Constructed in 1978
- * Expanded in 2014
- * Treatment capacity is 4.75 mgd
- * Produces A+ Effluent

Wastewater Infrastructure:

- * 2013 - Carollo Engineering produced Water & Wastewater Models

- * 2015 - Water Works Engineering/Lyon Engineering produced the Roadmap to Centralization; Airport Water Reclamation Facility Expansion Phase I
- * 2018 - Carollo Engineering produced Water & Wastewater Models
- * 2023 - Carollo Engineering produced the final Water & Wastewater Models

Centralization Timeline:

- * Roadmap to Centralization January 2015
- * Council Study Session February 24, 2015
- * Council Adopted Resolution No. 4284-1493 April 28, 2015
- * Study Session & Centralization Update February 28, 2017
- * Study Session Centralization Update November 14, 2017
- * Ordinance No. 5060-1600 for WIFA Loan Adopted Jan. 9, 2018
- * Executive Session Discussion Sept. 10, 2019
- * Council Approval for Alternate Route Aug. 25, 2020
- * Consent Order Issued by ADEQ 2023

Capital Program Manager Tim Sherwood continued with an overview of the various projects associated with the Centralization Roadmap Plan and completed projects:

- * Airport Trunk Main Phase I
- * Sundog Trunk Main Phase A
- * Sundog Lift Station
- * Airport Trunk Main Phase 2A
- * Sundog Trunk Main Phase C1
- * Airport Trunk Main Phase 2B
- * Sundog Trunk Main Phase C2
- * Total Costs - \$26,494,456

Projects to Complete:

- * Sundog Phase C3
- * Airport Solids Handling Facility
- * SR89 Effluent and Wastewater Pipelines
- * Airport Expansion Phase II
- * Sundog Equalization Basin & Plant Decommissioning
- * Effluent Tank at Watson Lake Park
- * Lillian Lane Receiving Station Upgrade
- * Total Estimated Costs at Full Completion - \$143.5 million (future projects are included in the five and ten year CIPs)

Councilwoman Fruhwirth asked about the increase water rates and asked how are impacted by these projects.

Ms. Rowitsch responded that most of these projects are associated with growth and have help from Development Impact Fees, but also on existing rates.

Mr. Oflers continued that once all of these projects are completed there will be one wastewater treatment facility.

Mayor Rusing commented on how important collection is for health and human safety. She thanked staff for addressing these issues. It is important to

understand what is needed.

Councilman Garing asked if this project is subject to Prop401, he would like a complete analysis.

City Attorney Joseph Young responded that it is a nuanced question, mostly because there are many exceptions to Prop401 and various parts of broader projects may or may not apply. The Proposition requires that large dollar projects go through a voter approval process, this amount increases with CPI each year. Replacement and repair of sewer and water lines, treatment centers and court-ordered/required projects are all exempt. SR89 has to be replaced, which qualifies as an exemption, but there are related costs that are not part of the Prop401 analysis. That determination comes from Council. Staff believes the city is in compliance, but ultimately, Council has to make decisions about how these exemptions apply. This has been done before and will need to continue to be done.

Councilman Grady commented on the exceptional work done at the treatment plant. Council took a tour recently, and he was very impressed.

Mayor Pro Tem Fruhwirth thanked staff for the detailed presentation. She is supportive of what staff is doing.

Councilwoman Frederickson asked about the consent order related to the sewer outflow in 2023, and for confirmation that that is one of the aspects that allows the city to not have Prop401 be applicable and how that leak relates to centralization.

Mr. Young responded that the finding was that the city doesn't have sufficient capacity and centralization addresses that.

Ms. Rowitsch confirmed and added that the city doesn't have capacity for surges when stormwater enters the system.

This item was for discussion only, no formal action was taken.

C. Presentation & Discussion Regarding Watson Woods Riparian Preserve In-Lieu Fee (ILF) Program & Conservation Easement.

Water Resource & Environmental Service Manager Brian Ruiz provided a presentation to the Council regarding the Watson Woods Riparian Preserve ILF and introduced Michael Bryd with Prescott Creeks to contribute to the update.

Overview & Background:

- * Pre 1940 - native land and Granite Creek
- * 1940 - railroad constructed
- * 1950s - midcentruy landfill dumping
- * 1970s - quarry and gravel mining
- * 1990s - Watson Woods Riparian Preserve established by Prescott Creeks

Completed Work:

- * Utilities and Infrastructure Assessment
- * Trails and Recreational Assessment
- * Hydrologic Evaluation
- * Environmental Site Assessment

Mr. Byrd continued with an overview of the ILF Program:

- * Prescott Creeks is a non-profit organization - established in 1990 with a mission to achieve healthy watersheds and clean waters in Central Arizona for benefit of the community
- * Granite Creek Trail (now the Greenway)
- * Granite Creek Cleanup (since 2007)
- * Watson Woods Riparian Preserve

Ecological Restoration in the Preserve:

- * Goals - enhance and restore creek function and riparian habitat, create additional riparian habitat, educate and involve community members
- * Project Details - five-year project (2009-2013), \$1.5 million in funding, AZ Water Protection Fund Grant, AZ Department of Environmental Quality Grants and City of Prescott in-kind services/cash

ILF Mitigation Programs:

- * Preserve is part of a project that provides mitigation credits to permittees that cause unavoidable impacts to jurisdictional waters under Section 404 of the Clean Water Act
- * As part of the project, the US Army Corps of Engineers (USACE) has directed Prescott Creeks to develop plans for the Preserve site
- * Establishment of a site protection instrument, in the form of a conservation easement is a required element
- * Only five programs in Arizona - Prescott Creeks Preservation Association, Arizona Game & Fish Department, Pima County Regional Flood Control, Tucson Audobon Society and La Paz County Endangered Species Fund
- * Administered by USACE and EPA

ILF Program Status (40 CFR Section 332-4(c)):

- * Required Plan Components
 - Objectives
 - Site Selection Factors
 - Site Protection Instrument
 - Baseline Information
 - Credit Determination
 - Work Plan
 - Maintenance Plan
 - Performance Standards
 - Monitoring Requirements
 - Long-Term Management Plan
 - Adaptive Management Plan
 - Financial Assurances
 - Default & Closure

Key Components:

* Joint Management Plan - provide written framework of future management of the Preserve, identify responsibilities for Prescott Creeks, identify responsibilities for the city, identify joint responsibilities, inventory all known infrastructure and utilities within the Preserve and address fire management, describes the function and goals of the Preserve, describes the conservation easement/lease areas, establishes a protocol for city for routine and emergency access, fire management plan, and clearly identifies responsibilities for all known structures/utilities/trails/roads within the Preserve

- Current Status: maps 95%, responsibility list 95%, fire management plan 99% and full document 75%

* Lease & Conservation Easement - compensatory mitigation must be permanent; the conservation easement ensures permanent protection (40 CFR Section 332.7 (a)), reduces flexibility for the city to develop or expand facilities and modify land uses; the updated lease covers all areas in the Preserve not covered by the conservation easement (34 acres)

- Conservation Easement must be in perpetuity, must supersede any other encumbrance on the property and multiple encumbrances on a property make it complicated

* APS Coordination - APS is constructing new 69KV power lines to replace existing 12KV power lines; goal of establishing new power line alignment around the perimeter of the Preserve; work with APS to create maintenance road and trail that will function as alternative access for bikes and horses; remove existing poles to below grade

Next Steps:

* Finalize APS coordination

* Bring lease, joint management plan and conservation easement for Council Vote

* ILF development and mitigation plan - approval of draft plan by USACE/IRT

* Update Phase I Environmental Assessment

* Execution of finalized lease and conservation easement by the city

* Final development and mitigation plan

* Enabling instrument modification

* Begin implementation of Work Plan within Watson Woods Riparian Preserve (2027)

Mayor Rusing said this project has been in the works for several years and thanked APS for their coordination.

City Attorney Joseph Young discussed the \$1/year lease, which is part of consideration going through this. The city needs to look at what it gives up and what it gets in return so that will be part of the lease negotiations.

Mayor Pro Tem Fruhwirth commented that she looked at the Prescott Creeks Board and wanted to ensure that there is a guarantee that there is depth there because the Conservation Easement is forever. She added that it will be important to understand the group's financials as well, and stated that she is concerned perhaps there should be separate parcel numbers for this and may want to have staff look into that.

Councilwoman Frederickson asked if there was anything in the lease which would put guardrails around what the city needs to do for infrastructure so it isn't in conflict with what Prescott Creeks is doing.

Mr. Byrd responded that this is where the joint management plan comes into play. There will be components that speak to those types of situations. The plan will be updated every five years to ensure that it is current as well.

Councilman Ruby commented that he appreciates the coordination going into this project.

Councilman Grady echoed Mayor Pro Tem Fruhwirth's comments in ensuring that the city has information from Prescott Creeks so they can understand what the ILF looks like in dollars flowing into projects and operating costs.

Mr. Bryd added that all fees are restrictive for the development plan and administrative costs associated. They report annually to the US Army Corps of Engineers as well.

This item was for discussion only, no formal action was taken.

4. ADJOURNMENT

There being no further business to discuss, Mayor Rusing adjourned the meeting at 3:19 p.m.

Cathey Rusing

CATHEY RUSING, Mayor

ATTEST:

Sarah M. Thornhill

SARAH M. THORNHILL, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on January 27, 2026. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk

