



CITY HALL • 250 EAST L STREET • BENICIA, CA 94510 • (707) 746-4200 • FAX (707) 747-8120

May 7, 2021

Via Electronic Mail

Attn: Gregg Horton

Re: Request for Public Records Received 3/16/2021

Dear Gregg Horton:

The City of Benicia (“City”) is in receipt of your email request seeking:

“Any emails, written communications, documents, contracts, presentations, or other communications between officials from the Benicia Police Department and officials from the company “Flock Safety.”

In your request, you further describe that this request includes:

“Benicia Police Department records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, and minutes of any meetings. The search should be limited to responsive records created between January 1, 2019 and the day the request is fulfilled.”

This letter shall serve as the City’s further formal written response to your request under the California Public Records Act (Government Code section 6250 *et seq.*). A copy of your request is enclosed for reference.

The City wishes to cooperate to the fullest extent possible with the Public Records Act. Under established California law, the City is obliged to comply with a request for a public record so long as the requester makes a specific and focused request for information, that information is maintained by the City in its ordinary course of business, the information is disclosable, and the record can be located with reasonable effort. The Public Records Act provides for the inspection or copying of existing identifiable public records; it does not compel the City to create new records, lists, privilege logs, or reports in response to a request.

The City is required to determine whether the request, in whole or in part, seeks copies of disclosable public records. Pursuant to the California Public Records Act (Government Code §§6250 *et seq.*), such determination must take place within ten (10) days of the City's receipt of the request, unless the requestor is advised that more time is needed. In my April 9, 2021 letter, I stated that the City had determined that your request seeks disclosable records, and that due to the voluminous size of the response to your request, the City would produce these responsive documents on a rolling schedule, with documents provided by Friday of each week, until all responsive records have been sent.

I am enclosing a copy of the next grouping of responsive files in response to your request.

The next response will be sent on or before next Friday, May 14, 2021.

If you have any questions about this response, or if you would like to discuss ways to narrow your search so that the City can provide more specific records in a quicker fashion, please feel free to contact me directly at jbergstrom@ci.benicia.ca.us or 707-746-4200.

Sincerely,



Jennifer Bergstrom
Deputy City Clerk

cc: Benjamin Stock, City Attorney
Erik Upson, City Manager
Michael Greene, Police Chief
Lisa Wolfe, City Clerk
File

From: Jennifer Bergstrom
To: Jennifer Bergstrom
Subject: FW: California Public Records Act Request: Benicia Police Department: Flock Safety
Date: Friday, March 26, 2021 4:41:37 PM

From: 109813-60721929@requests.muckrock.com [mailto:109813-60721929@requests.muckrock.com]
Sent: Tuesday, March 16, 2021 8:16 PM
To: Ben Stock
Subject: California Public Records Act Request: Benicia Police Department: Flock Safety

Benicia Police Department
PRA Office
200 East L. Street
Benicia, CA 94510

March 16, 2021

To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records:

Any emails, written communications, documents, contracts, presentations, or other communications between officials from the Benicia Police Department and officials from the company "Flock Safety."

We seek Benicia Police Department records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, and minutes of any meetings. The search should be limited to responsive records created between January 1, 2019 and the day the request is fulfilled.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Gregg Horton

Filed via MuckRock.com

E-mail (Preferred): 109813-60721929@requests.muckrock.com

Upload documents directly: https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fbenicia-police-department-19519%252Fbenicia-police-department-flock-safety-109813%252F%2523Femail%253DHmclaughlin%252540ci.benicia.ca.us&url_auth_token=AABuRYGfg02ZPkwcm_g37CE-ntE%3A1IMMe%3AomjnyEmPsjYo_pU7ynlR8BE-JBA

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 109813
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



From: [Shammai Terry](#)
To: [Erik Upson](#)
Subject: IACP - Flock Safety
Date: Monday, September 16, 2019 10:17:47 AM

Hi Chief Upson,

Flock is excited to be exhibiting at IACP this year in Chicago. We are a technology company dedicated to stopping non-violent crime. Our license plate readers are infrastructure free and capture the evidence required to solve crime, not just watch it.

IACP Booth



We'll be at booth 4450 to learn more! (we're the blue dot!).

If you'd like to schedule a meeting outside of the show floor, let me know.

Look forward to meeting you!

Shammai Terry
Territory Sales Manager



818.920.8615 | shammai.terry@flocksafety.com



Learn how this neighborhood caught a drive-by shooter - [READ THE CASE STUDY HERE](#)

Flock Safety
1170 Howell Mill Rd NW
Suite 210
Atlanta Georgia 30318 United States

Update your [email preferences](#) to choose the types of emails you receive.

From: [Nika Golshani](#)
To: [Erik Upson](#)
Subject: Like a long tail cat in a room full of rocking chairs...
Date: Friday, April 19, 2019 1:13:51 PM

Hi Erik,

You've got me nervous!

Just a quick follow-up on a message I sent earlier. Are you the best person to speak to about providing free LPR camera access in your jurisdiction? If not, would you mind pointing me in the right direction?

Thanks!

Nika Golshani
Public Safety
770-284-5861
www.flocksafety.com

PS: If you don't want to hear from me anymore, just let me know

From: [Shammai Terry](#)
To: [Erik Upson](#)
Subject: Missed Call - ALPR Cameras
Date: Monday, August 05, 2019 7:36:09 AM

Hi Chief of Police Upson,

I just left you a voicemail. Were you able to read my last note?

When you have the time, I'd like to share how Flock Safety has helped agencies in California reduce crime with our new ALPR camera technology.

I'll be visiting neighboring PDs over the next few weeks and would be happy to drop by. Is there a day that works best?

Thanks,

Shammai Terry
Territory Sales Manager

818.920.8615 | shammai.terry@flocksafety.com

*Learn how this neighborhood caught a drive-by
shooter - [READ THE CASE STUDY HERE](#)*

From: [Garrett Langley](#)
To: [Erik Upson](#)
Subject: RE: Bay Vista HOA - Benicia
Date: Thursday, April 30, 2020 5:35:35 PM

Agree, its a strange world right now. Down in GA we are “open” but most things are still closed. People are trying to be smart.

Keep me posted, we will be here and ready when you are!

Garrett Langley
CEO & Founder



As seen on [NBC](#), [FOX](#), [CBS](#), [CNET](#) and more

On Thu, Apr 30 2020 at 5:59 PM, Erik Upson <EUpson@ci.benicia.ca.us> wrote:

We’re doing well. Challenging times to say the least.

I think our county will start rolling back some stuff next week.

Hope you are well. Our cannabis retailer going to Planning Commission in May, so hopefully we’ll get some movement on that and funding for our project.

Regards,

Erik

From: Garrett Langley <garrett@flocksafety.com>
Sent: Thursday, April 30, 2020 12:48 PM
To: Erik Upson <EUpson@ci.benicia.ca.us>
Subject: Re: Bay Vista HOA - Benicia

Hey boss,

You and the team staying safe? Are you seeing an end to this mess? Seems like each city is

doing things different.

Talk soon

Garrett

Garrett Langley

CEO & Founder



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On Mon, Mar 30, 2020 at 8:04 PM, Erik Upson <EUpson@ci.benicia.ca.us> wrote:

Thanks for checking in Garrett! California seems to be doing...ok. Flattening the curve here! Stay safe.

Sent from my iPhone

On Mar 30, 2020, at 4:58 PM, Garrett Langley <garrett@flocksafety.com> wrote:

How are things holding up for you guys? Sheltering?

Things in Atlanta are seeming to get worse.

Hope you are well

Garrett

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CEO & Founder



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Understood and thanks for the clarity. Will drop a note in a month or so just to check-in!

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Garrett,

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happen. Essentially, to summarize, hoping that our one retail cannabis business will pay for half or all of the complete system we've discussed. They are not through the process yet. They are through the Cannabis Public Safety Licensing process, the are through the planning process and now are off to the Planning Commission. Then, if appealed (very possible) to the City Council. So...months out I'm afraid, before we have the funding locked in. The business itself is very interested in the idea.

Thanks,

Erik

From: Garrett Langley <garrett@flocksafety.com>
Sent: Tuesday, February 18, 2020 6:11 PM
To: Erik Upson <EUpson@ci.benicia.ca.us>
Subject: RE: Bay Vista HOA - Benicia

Hey!

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Talk soon

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We will keep selling on your end and await the chance to get your group on board!

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Sent: Saturday, February 01, 2020 3:15 AM
To: Erik Upson <EUpson@ci.benicia.ca.us>
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Morning Chief,

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Let me know how I can help,

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Happy New Year Garrett!

That is excellent! Hope it works out.

Still working on financial aspects here on our end...I'll let you know as soon as we have any movement.

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Subject: Fwd: Bay Vista HOA - Benicia

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Hope you had a nice Holiday and look forward to getting this project off the ground in 2020!

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From: Chase Ferguson <chase.ferguson@flocksafety.com>
Date: Monday, December 23 2019 at 2:23 PM EST
Subject: Bay Vista HOA - Benicia
To: Garrett Langley <garrett@flocksafety.com>

Just got this from one of my potential customers in Benicia CA:

"Just got a great review from the city of Benicia's police chief on you. We will give you our decision after the holidays. Merry Christmas to you and your staff and a happy New Year."

Excited to bring them on in the new year and stop the crime in the area -

Chase Ferguson

Sales Consultant

404.850.9285 | chase.ferguson@flocksafety.com

Learn how this San Antonio neighborhood is cracking down on crime
- [READ THE CASE STUDY HERE](#)

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Looks like the Planning Commission keeps canceling their meetings...you think the cannabis guys are going to get approved in May still?

Garrett Langley
CEO & Founder



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