



TO: Sean McGlynn, City Manager
Michael McGuinness, City Attorney

FROM: Ken Plunkett, Chief of Police

SUBJECT: Escondido Police Department Firearms Training Facility Agreement

City of Escondido Firearms Training Facility Range Agreement

The City of Escondido Firearms Training Facility (“Facility”) has been utilized by the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), since 2013. The current facility-use agreement encompasses the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, and Homeland Security Investigations.

The agreement documents are attached for your review. For reference, there are two types of documents incorporated by this agreement, please note the examples below:

Document Type: Agreement

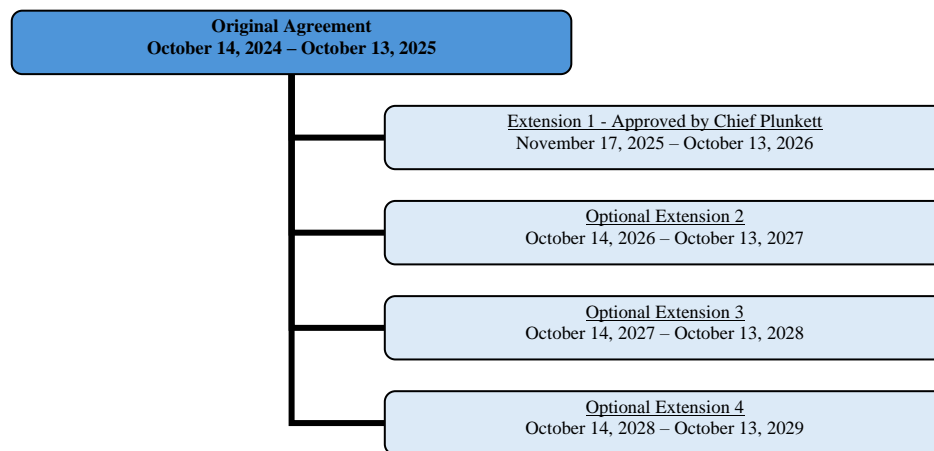
Document 1: Escondido Firearms Training Facility Range Agreement with Attachment 'A' and Attachment 'B'

Document Type: Procurement

Document 5: Procurement Document 2, Order Number 70GCM52ZSFP000006, 2026 Contract Clause

Agreement Timeline

The relevant original Agreement included a Performance Period from October 14, 2024 through October 13, 2025. (“2025 Agreement”). The 2025 Agreement included a provision which allowed for an extension of four one-year periods. Thus, the 2025 Agreement could be extended to October 2029. Pursuant to the terms of that extension provision, in October 2025, the parties agreed to extend to October 13, 2026.

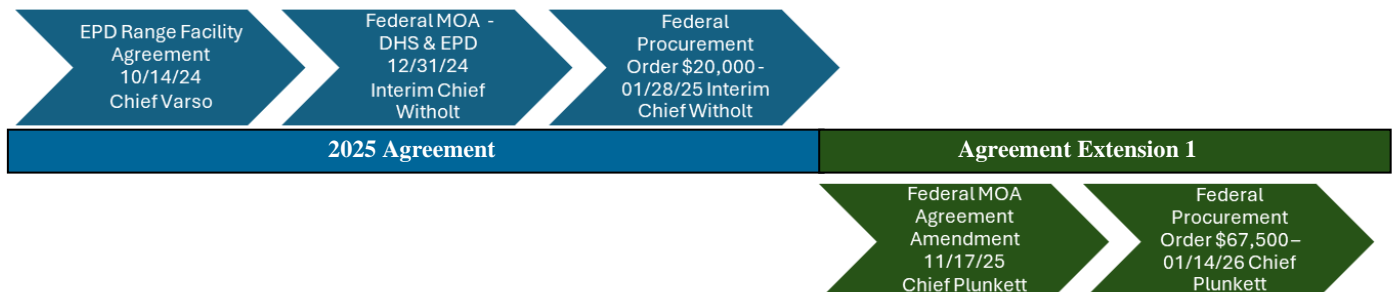


Procurement Timeline

Thereafter, in early January 2026, the federal government issued a Request for a Quote (RFQ) for use of a firing range facility in the San Diego County. The City Fee Inventory rates for range rental were provided in response to the RFQ. The federal government accepted the provided rental rates and produced a procurement order to fund range use in accordance with the agreement.

The current Facility Agreement includes rental fees payable to the City of Escondido at \$22,500 annually (with options for two annual renewals at the same rate through 2029, for a total of \$67,500).

Execution and Signature Timeline



Terms and Conditions of the Agreement

According to the Memorandum of Agreement Between U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Homeland Security Investigations, San Diego and the City of Escondido Police Department, Section 4, Terms and Conditions, subsection m.,

“Termination. This MOA will remain in effect until terminated by the Parties. Either Party may terminate the MOA immediately upon written notice.”

To the extent the federal government disputes the City’s ability to terminate the Agreement, there are possible implications to the City in terminating the Agreement without cause including, but not limited to:

- 1) Financial liability for damages, including administrative costs and consequential damages.
- 2) Liability for increased costs associated with the federal government securing replacement services from alternate facilities.
- 3) A lawsuit for specific performance asking a judge to issue a judgment against the City forcing it to allow access to the Facility under the terms of the Agreement.
- 4) Potential debarment, affecting participation in other federal contracts or grants.

City of Escondido Firearms Training Facility Range Agreement Documents

- Document 1 – Escondido Firearms Training Facility Agreement with Attachment A and Attachment B
 - Escondido Firearms Training Facility Agreement is the City’s facility-use agreement for the Range
 - Attachment A: Rules for the Range
 - Attachment B: City’s Fee Inventory cost for facility-use
- Document 2 – Memorandum of Agreement Between U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Homeland Security Investigations, San Diego and The City of Escondido Police Department
 - This document incorporates the Escondido Firearms Training Facility Agreement, and covers terms and conditions.
- Document 3 – Agreement Amendment
 - Extends the MOA through October 2026.

- Document 4 – Procurement Document 1, Order Number 70CMSD26P00000004, 2025, with contract clauses.
 - This is not a contract; it is the federal government’s procurement document that allows the agency to generate payment for the use of Escondido’s Range Facility
 - This order number was expended in 2025.
- Document 5 – Procurement Document 2, Order Number 70CMSD26P00000006, 2026, with contract clauses.
 - This is not a contract; it is the federal government’s procurement document that allows the agency to generate payment for the use of Escondido’s Range Facility
 - This is the only current active order.