



# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Floyd Mitchell  
Chief of Police

**SUBJECT:** OPD Concord Police Association  
Firearms Range Agreement

**DATE:** October 10, 2025

City Administrator Approval

  
Jestin Johnson (Oct 22, 2025 15:57:54 PDT)

Date: 10/22/2025

## **RECOMMENDATION**

**Staff Recommends That City Council Adopt A Resolution 1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With The Concord Police Officers Association (CPA) For The Use Of The CPA Firearms Range By The Oakland Police Department (OPD), In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) Per Year For The Time Period July 1, 2025, To June 30, 2030; And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q), And The Local/Small Local Business Enterprise Program Requirements.**

## **EXECUTIVE SUMMARY**

OPD personnel require access to local firearms ranges for a variety of required firearms, force options, and tactical/de-escalation training. OPD does not possess its own firearms range; OPD must therefore utilize existing regional firearms ranges that provide the necessary space for practice and simulation training, as well as for storing onsite equipment. OPD cannot run officer training academies without sufficient firearms range capacity. Some local ranges also have very limited capacity for OPD use. The Concord Police Academy (CPA) Firearms Range provides a large enough space as well as scheduling availability for OPD personnel training. The previous agreement with CPA has expired on April 30, 2025. A new proposed agreement would allow for OPD to use the CPA Firearms Range for the period of July 1, 2025, through June 30, 2030.

The proposed resolution restricts OPD CPA Firearms Range spending authority to a maximum of \$250,000 per year. OPD spent \$232,075 in the 2024-25 fiscal year for use of the CPA Firearms Range, so a \$250,000 per year limit should be sufficient for ongoing firearms training needs.

## **BACKGROUND / LEGISLATIVE HISTORY**

The California Commission on Peace Officer Standards and Testing (POST) requires that every peace officer shall satisfactorily complete an introductory course of training in arrest and

firearms. Additionally, POST requires that police officers train in the use of firearms each year (continual professional training, or “CPT”) to maintain otherwise-perishable firearms skills. OPD does not own its own firearms range or tactical training area, and thus must find other areas for required training for both new police officer trainees in police academies as well as CPT.

OPD currently uses the CPA Firearms Range for police officer trainee and CPT firearms training<sup>1</sup>. OPD has previously contracted with CPA via the following government cooperative contract<sup>2</sup>:

- City of Concord (July 2019 – December 2021)
- California Department of Corrections and Rehabilitation (January 2017- June 30, 2019)
- California Highway Patrol (2012-2017)

CDCR and CHP now have a current contract with Concord POA (2025-2028)

OPD’s current agreement with CPA Firearms Range has expired on April 30, 2025.

## **ANALYSIS AND POLICY ALTERNATIVES**

OPD cannot produce police officer training academies without the use of the CPA Firearms Range. California POST requires a minimal number of live-fire trainings for the academy as well as for in-service personnel, as previously mentioned. OPD would have to consider sending new police officer recruits to academies with other law enforcement agencies should OPD fail to maintain access to this firearms range. OPD does not recommend such an option. OPD must train trainees to be prepared to understand and learn numerous OPD-specific policies and standards, none of which would be taught during other law enforcement academies. Furthermore, there may be a higher attrition rate with other academies than with OPD-produced training academies, as has been proven by past practice.

A new agreement with the CPA Firearms Range is critical to OPD’s ongoing efforts to achieve full compliance with the Negotiated Settlement Agreement (NSA)<sup>3</sup>. The NSA Task 43 “Academy and In-Service Training” requires OPD to provide 40 hours of training to all OPD members every 18 months, and the training is to emphasize professionalism and ethics using curricula that employ realistic scenario-based training exercises. Firearms training is included in those 40 hours to meet the California POST requirements. The firearms training provided by the Department at the Concord Range is comprehensive and involves live fire training, less-lethal training, critical scenario-based exercises, and de-escalation training. OPD needs new trainees as well as all officers to have access to this training.

---

<sup>1</sup> The City Council adopted a resolution on October 6, 2020 to authorize an agreement between the City and the Contra Costa Office of the Sheriff (CCOF) for the use of the CCOF firearms range; OPD uses this range specifically for training for its Special operations Division (SOD). The CCOF Range is designed to allow for rifle and tactical training.

<sup>2</sup> Coop or “piggyback” contracts allow other jurisdictions to use a preestablished contract between another government and the contracting entity. These contracts allow another government or agency (e.g., OPD) to join an existing contract for efficiency and to share in established rates.

<sup>3</sup> <https://www.oaklandca.gov/resources/oakland-police-negotiated-settlement-agreement-nsa-reports>

OPD's latest contract for use of the CPA Firearms Range has expired on April 30, 2025. OPD has processed \$258,485 in invoices for FY 24/25. OPD, therefore, needs a new agreement with CPA to continue to utilize this critical training facility.

Article V, Section 504(I) of the Oakland City Charter requires that the City Council approve all intergovernmental relationships and contracts. Therefore, staff recommends that the City Council adopt the resolution accompanying this report to authorize the City Administrator to complete all required negotiations, certifications, assurances, and documentation required to execute, modify, extend and/or amend: 1) the main agreement with CPA for the use of their firearms range; and 2) a separate agreement for the use of the CPA Live Fire Shoot House, located within the range facility.

The agreements stipulate a current rate of \$95.00 per hour, with a minimum two-hour use for the main firearms range, and \$95.00 per hour for the live fire shoot house (see **Attachment A**). Furthermore, the resolution accompanying this report stipulates a maximum annual spending authority of \$250,000 per year. OPD spent \$258,485 in the 2024-25 fiscal year. Staff therefore believe that a \$250,000 per year maximum spending authority would be sufficient for its use of the CPA Firearms Range.

The agreements require that OPD supply POST-qualified Range Instructors to control all live firing exercises (OPD firearms training personnel have this certificate). The main agreement also stipulates that the City will indemnify, defend, and hold harmless CPA and its officers, directors, members, agents and employees from and against any and all claims, damages and/or liabilities arising from, out of, or in connection with the negligent use of or willful misconduct of OPD personnel, agents, invitees, or guests of the CPA range facilities. Furthermore, the main agreement stipulates that both parties reserve the right and authority to terminate the agreement with or without cause; either party may immediately terminate the agreement for cause following the other party's breach of any term or condition, or without cause by providing the other party ten (10) days' notice prior to such termination taking effect.

The proposed agreement with the CPA for use of their gun range promotes the Citywide priority of **holistic community safety**, as OPD seeks to ensure that all sworn officers are properly trained in the use of firearms.

***Waiver of competitive multi-step proposal solicitation and of the Local/Small local business (L/SLBE) participation requirements***

Oakland Municipal Code ("OMC") Title 2, Chapter 2, Article I, section 2.04.042 B. requires that the City Administrator conduct a competitive multiple-step proposal solicitation process for the acquisition of technical professional services.

OMC section 2.04.042 D. provides that the City Council may waive the competitive multiple step proposal solicitation process upon a recommendation of the City Administrator and a finding and determination by the City Council that it is in the best interests of the City to waive the competitive multi-step proposal solicitation requirement.

The City Council adopted the Local/Small Local Business Enterprise (L/SLBE) Program, Ordinance No. [13647](#) C.M.S., which requires a minimum of fifty-percent (50%) participation for all professional service contracts valued at or over fifty thousand dollars (\$50,000) when there

are at least three certified businesses listed in the industry, trade, or profession that constitute a

major category of work; and if at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available.

However, the Council may, in its discretion, waive the requirements of the L/SLBE Program when it is in the best interest of the City to do so. The contract is already expired, and OPD needs to re-establish the relationship with the Concord Gun Range as soon as possible. Additionally, since OPD would have to consider sending new police officer recruits to academies with other law enforcement agencies to maintain access to this firearms range, OPD does not recommend such an option. Trainees must be prepared to understand and learn numerous OPD-specific policies and standards, which would not be taught during other law enforcement academies. Furthermore, there may be a higher attrition rate with other academies than with OPD-produced training academies, as has been proven by past practice. Staff has determined that requesting waivers of the competitive multi-step proposal solicitation and Local/Small Local Business Enterprise (L/SLBE) requirements are justified.

Therefore, staff recommends that it is in the best interest of the City to waive the competitive multiple-step proposal solicitation process and the LBE/SLBE requirements because of the reasons set forth in this report and in the resolution that accompanies it.

#### **FISCAL IMPACT**

| <b>Contract Year</b>  | <b>Fiscal Year</b> | <b>Amount</b>      |
|-----------------------|--------------------|--------------------|
| <b>Year 1</b>         | FY 2025-26         | \$250,000          |
| <b>Year 2</b>         | FY 2026-27         | \$250,000          |
| <b>Year 3</b>         | FY 2027-28         | \$250,000          |
| <b>Year 4</b>         | FY 2028-29         | \$250,000          |
| <b>Year 5</b>         | FY 2029-30         | \$250,000          |
| <b>Total Contract</b> |                    | <b>\$1,250,000</b> |

The annual cost associated with the contract will be paid from Fund 1010 - General Fund: General Purpose, Organization 103430 - Training Unit, Account 53211 - Rental: Land and Building, Project 1000008 - DP1000 Administrative Project, PS09 – Police Training.

### **PUBLIC OUTREACH / INTEREST**

There was no public outreach required for the preparation of this report beyond standard City Council noticing requirements.

### **COORDINATION**

This report was reviewed by the Office of the City Attorney and the Budget Bureau.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** There is no economic impact associated with this report.

***Environmental:*** There are no environmental issues associated with this report.

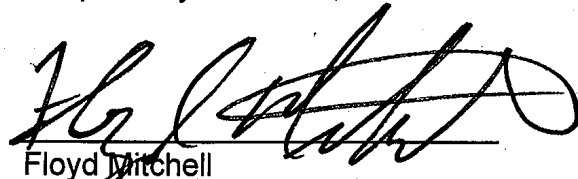
***Race and Equity:*** All Oakland residents and visitors benefit by ensuring that OPD personnel charged with providing public safety receive proper training to deliver professional police services.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That City Council Adopt A Resolution 1) Authorizing The City Administrator To Enter Into A Professional Services Agreement With The Concord Police Officers Association (CPA) For The Use Of The CPA Firearms Range By The Oakland Police Department (OPD), In An Amount Not To Exceed Two Hundred Fifty Thousand Dollars (\$250,000) Per Year For The Time Period July 1, 2025, To June 30, 2030; And 2) Waiving The Competitive Request For Proposal/Qualifications (RFP/Q), And The Local/Small Local Business Enterprise Program Requirements.

For questions regarding this report, please contact Thomas Sotto, Lieutenant of Police at [tsotto@oaklandca.gov](mailto:tsotto@oaklandca.gov).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. Mitchell', is written over a horizontal line.

Floyd Mitchell  
Chief of Police  
Oakland Police Department

Reviewed by:  
Lisa Ausmus, Deputy Chief  
OPD, Bureau of Risk Management

Thomas Sotto, Lieutenant  
OPD, Training Division

Prepared by:  
Dr. Tracey Jones, Police Services Manager,  
OPD, Research and Planning

**Attachment (1):**  
A: Concord Police Association Agreement