

**RESOLUTION NO. 50-25**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,  
CALIFORNIA, WAIVING THE REQUIREMENTS OF THE SANCTUARY CITY  
CONTRACTING AND INVESTMENT POLICY ORDINANCE (ORD. NO. 12-18 N.S.)  
AS TO MOTOROLA FOR FUTURE CONTRACTS AND PURCHASES**

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**WHEREAS**, the City of Richmond is a Sanctuary City committed to protecting all members of the community, and the Sanctuary City Contracting and Investment Policy Ordinance (Ordinance No. 12-18 N.S.) was adopted to prohibit the City from entering into contracts or making investments with persons or entities that provide “Data Broker” or “Extreme Vetting” services to the U.S. Immigration and Customs Enforcement (ICE); and

**WHEREAS**, the Ordinance allows for exceptions when the City Council determines that no reasonable alternative exists, considering the availability of alternatives, the intent of the ordinance, and the quantifiable additional costs; and

**WHEREAS**, it is determined that Motorola is used broadly by local, state, and federal agencies, including the United States military, and is unable to meet the requirements set forth in Ordinance No. 12-18 N.S.; and

**WHEREAS**, the Richmond Fire and Police Departments use Motorola-brand mobile and portable radios as part of their core emergency communication infrastructure, which is essential to delivering critical public safety services; and

**WHEREAS**, the City of Richmond is a member of the East Bay Regional Communications System Authority (EBRCSA), a Motorola-based interoperable communications system serving agencies across Alameda and Contra Costa counties; and

**WHEREAS**, Motorola equipment and services, including radios, batteries, software updates, and related technology, are critical for ensuring interoperability and functionality within the EBRCSA system, and are not reasonably substitutable due to technical and operational requirements; and

**WHEREAS**, procurement of this equipment may require purchasing from either Motorola directly or through Red Cloud, Inc., their exclusive authorized representative for the region encompassing Alameda, Contra Costa, San Mateo, Marin Counties, and the City and County of San Francisco; and

**WHEREAS**, based on departmental compliance reviews and findings documented in the Departmental Sanctuary City Compliance Statement, Finance staff have determined that the continued procurement of Motorola equipment is necessary to maintain public safety and that no reasonable alternative exists; and

**WHEREAS**, denying the City’s ability to contract with Motorola would have a significant negative impact on emergency response services, interoperability, and public safety;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Richmond hereby finds that Motorola is the only reasonable option for the required equipment and services, and approves a waiver of the requirements of Ordinance No. 12-18 N.S. as they apply to Motorola for all future contracts and purchases; and

**BE IT FURTHER RESOLVED** that the waiver shall apply solely for the purposes of acquiring Motorola-branded equipment and services necessary for emergency communications, as determined by the Finance Department in consultation with affected departments and consistent with the Ordinance’s intent to protect community members.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held on May 6, 2025, by the following vote:

AYES: Councilmembers Bana, Brown, Jimenez, Wilson, Vice Mayor Zepeda, and Mayor Martinez.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: Councilmember Robinson.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND

Approved: (SEAL)

EDUARDO MARTINEZ  
Mayor

Approved as to form:

DAVE ALESHIRE  
City Attorney

State of California }  
County of Contra Costa : ss.  
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 50-25**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on May 6, 2025.

  
Pamela Christian, Clerk of the City of Richmond