

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION OF THE YUBA)
COUNTY BOARD OF SUPERVISORS)
RECOMMENDING MODIFICATION)
OF VOTING PROCEDURES FOR THE)
PRESIDENTIAL GENERAL ELECTION)
ON NOVEMBER 3, 2020, DUE TO THE)
COVID-19 NATIONAL EMERGENCY)**

RESOLUTION NO. 2020-44

WHEREAS, the COVID-19 pandemic has created a national emergency and exceptional circumstances;

WHEREAS, the State of California and hundreds of local governments across the state have also declared states of emergency, imposed or recommended social distancing, and taken other significant steps to reduce the transmission rates of COVID-19;

WHEREAS, state law requires the Presidential General Election to be held on November 3, 2020;

WHEREAS, state law currently requires that this election be conducted using in-person voting at polling location or vote centers throughout the County;

WHEREAS, in-person voting involves the congregation of people at various polling locations and the use of shared polling place equipment;

WHEREAS, in-person voting risks undermining social distancing measures imposed by the State Public Health Officer and local public health officials, as well as other aspects of the response to COVID-19, which are designed to protect public health and safety;

WHEREAS, it is generally anticipated that a vaccination for COVID-19 will not be widely available on or before November 3, 2020;

WHEREAS, California's existing vote-by-mail procedures can be used to conduct the Presidential General Election in a manner that is accessible, secure and safe;

WHEREAS, COVID-19 and the response thereto may impair the ability of state and local officials, including county election officials and the Secretary of State, and the volunteers supporting them, to meet statutory deadlines associated with ballot counting, tabulation, and other responsibilities related to the official canvass, including certification of the canvass, audits and/or manual tallies of election results and reporting of the official canvass results; and

WHEREAS, the County requires a prompt and timely decision on the conduct of the November 3, 2020 because preparations and purchases for the Presidential General Election for November 3, 2020 are currently underway.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yuba, State of California, recommends that the Governor use the authority vested in him by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, to issue an executive order in substantially the form set forth in Exhibit A, which directs county elections officials responsible for conducting the Presidential General Election on November 3, 2020, to conduct an all-mail ballot election;

BE IT FURTHER RESOLVED, that an exception to the all-mail ballot election should be permitted under the executive order to accommodate the need for voter accessibility, provided that any in-person voting be conducted in a manner consistent with public health and safety;

BE IT FURTHER RESOLVED, that under such an order, county elections officials would be responsible for transmit vote-by-mail ballots to all voters eligible to vote in this election and provide the maximum possible notice to voters about how to participate in the Presidential General Election, paying particular attention to the needs of voters at high risk from COVID-19, individuals with disabilities, and other voters with particularized needs; and

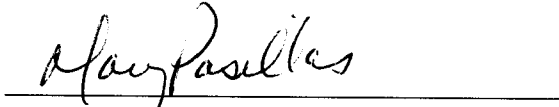
BE IT FURTHER RESOLVED, that the order would extend the deadline to complete, audit, and report the official canvass of the November 3, 2020, Presidential General Election by seven (7) days to December 7, 2020, which recognizes that COVID-19 and the response thereto may impair the ability of state and local officials to meet statutory responsibilities associated with county, tabulation and other responsibilities associated related to the official canvass and reporting of the official canvass results.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the 28 day of April, 2020 by the following vote:

AYES: Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher
NOES: None
ABSENT: None
ABSTAIN: None


Chairman

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS


Mary Pasillas, Bpard Clerk

OFFICE OF THE COUNTY COUNSEL
YUBA COUNTY
APPROVED AS TO FORM:

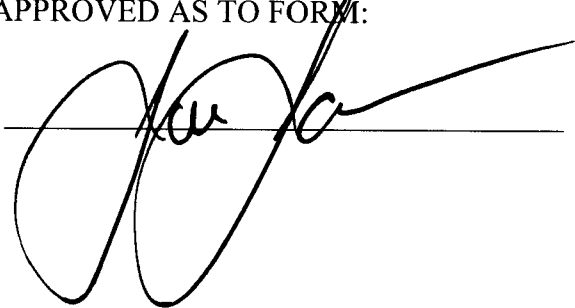


Exhibit A

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-xx-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS hundreds of local governments across the state have also declared states of emergency, imposed or recommended social distancing, and taken other significant steps to reduce the transmission rate of COVID-19; and

WHEREAS State law requires the Presidential General Election be held on November 3, 2020; and

WHEREAS State law currently requires that this election be conducted using in-person voting at polling locations or vote centers throughout each county; and

WHEREAS in-person voting presents risks to public health and safety in light of the COVID-19 pandemic, and threatens to undermine social distancing measures imposed by the State Public Health Officer, as well as other aspects of the response to COVID-19; and

WHEREAS our elections must be accessible, secure and safe; and

WHEREAS California's existing vote-by-mail procedures can be used to conduct the Presidential General Election on November 3, 2020, in a manner that is accessible, secure and safe; and

WHEREAS, state and local election officials require a prompt and timely decision on the conduct of the Presidential General Election to make plans, including logistical preparations and necessary purchases.

WHEREAS, COVID-19 and the response thereto may impair the ability of state and local officials, including county election officials and the Secretary of State, and the volunteers supporting them, to meet statutory deadlines associated with ballot counting, tabulation, and other responsibilities related to the official canvass, including certification of the canvass, audits and/or manual tallies of election results and reporting of the official canvass results.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

Exhibit A

1) Notwithstanding Elections Code sections 1500 and 4000-4007 (including, but not limited to, the conditions otherwise imposed on all mail ballot elections in Election Code section 4000 and 4001.5), and any other applicable provision of state law, the November 3, 2020, Presidential General Election to be held in the State of California shall be held as an all-mail ballot election and conducted according to those provisions of the Elections Code that govern all-mail ballot elections, including but not limited to Elections Code sections 3000-3026 and 4100. The county elections officials responsible for conducting this election shall transmit vote-by-mail ballots to all voters eligible to vote in this election.

Notwithstanding the foregoing, elections officials are authorized to make in-person voting opportunities available on or before Election Day for this election in a manner consistent with public health and safety, to accommodate the need for voter accessibility. Elections officials shall provide the maximum possible notice to voters about how to participate in this election, paying particular attention to the needs of voters at high risk from COVID-19, individuals with disabilities, and other voters with particularized needs.

2) Notwithstanding Elections Code sections 3019, 15100-15112, 15300- 15376, 15400-15402, 15450-15490, and 15500- 15505; California Code of Regulations, Title 2, sections 20027, 20108.75, 20108.8, and 20110-20126; and any other applicable provision of state law, all deadlines associated with completing, auditing, and reporting on the official canvass of the November 3, 2020, Presidential Primary Election are extended by 7 days to December 7, 2020. Counties are urged to complete activities related to the official canvass according to the deadlines ordinarily imposed by state law, to the extent possible. The Secretary of State is requested to issue guidance to county elections officials concerning compliance with this paragraph.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
to be of fixed this xxth day of xxx 2020
GAVIN NEWSOM
Governor of California

ATTEST:
ALEX PADILLA
Secretary of State