

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

**RESOLUTION OPPOSING STATE)
IMPOSED VACCINE OR MASK)
MANDATES)**

RESOLUTION NO. 2021-128

WHEREAS, Yuba County is a subdivision of the State of California, and may make laws to preserve the public health, safety, and welfare of those in the County that are not in conflict with general law; and

WHEREAS, the U.S. Food and Drug Administration (FDA) has granted emergency use authorizations for COVID-19 vaccines that are not yet FDA-approved, pursuant to the Project BioShield Act of 2004, 21 U.S.C. § 360bbb-3; and

WHEREAS, that federal statute expressly recognizes that each individual has "the option to accept or refuse administration of the product" under an emergency use authorization, 21 U.S.C. § 360bbb-3(e)(1)(A)(ii)(III); and

WHEREAS, on August 23, 2021, the FDA fully approved the Pfizer-BioNTech COVID-19 vaccine ("Comirnaty") for the prevention of COVID-19 in individuals aged 16 and older; and

WHEREAS, the right of every competent adult to make an informed decision to accept or refuse medical treatment has been recognized under common law and as a liberty interest under the Fourteenth Amendment of the United States Constitution and the right of privacy of the California Constitution; and

WHEREAS, the COVID-19 vaccines are now readily accessible to residents of Yuba County 12 years old and older; and

WHEREAS, information regarding the accessibility of, the effectiveness of, and the risks and benefits of the COVID-19 vaccines is readily available to all individuals eligible to receive the vaccine; and

WHEREAS, information regarding the risks of COVID-19, including the Delta variant among different populations is readily available in the public domain; and

WHEREAS, the Board of Supervisors recognizes and supports the right of its residents to make medical decisions for themselves and their minor offspring, in accordance with their personal and/or religious beliefs; and

WHEREAS, on July 26, 2021, the State of California Department of Public Health (“CDPH”) issued a State Public Health Officer Order requiring the facilities identified as Acute Health Care and Long-Term Care Settings, High-Risk Congregate Settings, and Other Health Care Settings verify the vaccine status of all workers and furthering requiring diagnostic screening testing and masking of all unvaccinated or incompletely vaccinated workers; and

WHEREAS on August 2, 2021, CDPH issued COVID-19 Public Health Guidance for K-12 Schools in California requiring all students and adults to wear a mask while indoors except for persons younger than 2, persons with a medical condition that prevents wearing a mask, persons communicating with the hearing impaired, or where it would create a workplace safety risk; and

WHEREAS, on August 5, 2021, CDPH issued a State Public Health Officer Order requiring all workers who provide services or work in Health Care Facilities have their first dose of a one-dose regimen or their second dose of a two-dose regimen by September 30, 2021 except for those workers who qualify for a religious or medical exemption; and

WHEREAS, on August 11, 2021, CDPH issued a State Public Health Officer Order requiring that schools must verify the vaccine status of all workers and furthering requiring diagnostic screening testing of all unvaccinated or incompletely vaccinated workers.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors, County of Yuba, State of California hereby expresses its opposition to State imposed vaccine mandates and vaccine passports, whether through Executive Order, California Department of Public Health Guidance, State Public Health Officer Order or any other similar legislation that infringes upon the right of citizens to make their own health care choices.

BE IT FURTHER RESOLVED that the Yuba County Board of Supervisors hereby expresses its opposition to State imposed mask or facial covering mandates or requirements, whether through Executive Order, California Department of Public Health Guidance, State Public Health Officer Order, or any other similar legislation that infringes upon the right of citizens to make their own health care choices.

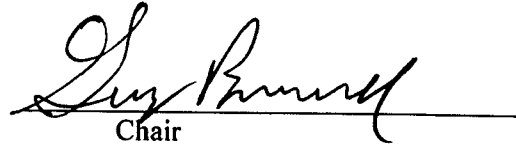
PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the 14 day of September, 2021 by the following vote:

AYES: Supervisors Vasquez, Blaser, Fuhrer

NOES: Supervisor Bradford

ABSENT: Supervisor Fletcher

ABSTAIN: None


Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS



MICHAEL J. CICOZZI
YUBA COUNTY COUNSEL
APPROVED AS TO FORM: