



**SHIRLEY N. WEBER, Ph.D.** | SECRETARY OF STATE | STATE OF CALIFORNIA  
ELECTIONS DIVISION

1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor, Sacramento, CA 95814 | Tel 916.657.2166 | Fax 916.653.3214 | [www.sos.ca.gov](http://www.sos.ca.gov)

July 19, 2021

Lynda Roberts, Registrar of Voters  
Marin County  
P.O. Box E  
San Rafael, CA 94913-3904

Dear Ms. Roberts,

The Secretary of State's Office has received and reviewed the Marin County Registrar of Voter's application for an election administration waiver during the September 14, 2021, California Gubernatorial Recall Election. Your request was for a waiver of precinct consolidation requirements.

After reviewing your request and documentation, the Secretary of State's Office accepts your waiver request. The Secretary of State's office has determined that your request warrants the requested relief.

Should you have any questions or need assistance during this election, please feel free to reach out to me or my staff regarding election activities and information.

Sincerely,

A handwritten signature in blue ink that reads "Jana M. Lean".

Jana M. Lean  
Chief of Elections  
Secretary of State's Office



**CALIFORNIA GUBERNATORIAL RECALL ELECTION  
 SEPTEMBER 14, 2021,  
 SECTION 1604 WAIVER REQUEST FORM**

County elections officials conducting their elections pursuant to Methods #3 and #4 may seek to adjust or partially waive the minimally required number, location, and/or operational duration of their “VCA-like” consolidated polling places or their ballot drop-off locations as described in Section 1602. (Elec. Code, § 1604(a)) County elections officials conducting their elections pursuant to Method #5 may seek to partially waive the provisions regarding the maximum number of voters in a precinct as required by Section 12223. (Elec. Code, § 1604(a))

For descriptions of Methods #3, #4, and #5, [please review the guidance document](#). Additional [information and updates for the recall](#) can be found on the SOS website.

Please complete and email this Waiver Request Form with required attachments to the following address: [2021RecallWaiverRequest@sos.ca.gov](mailto:2021RecallWaiverRequest@sos.ca.gov). If you have questions or need assistance, please contact Mike Somers at (916) 695-1563 or [msomers@sos.ca.gov](mailto:msomers@sos.ca.gov)

Date of Request	
County Name	
Contact Name	
Contact Phone	
Contact Email	
Waiver Request Form – Select all that apply	
1) “VCA-like” consolidated polling place Number                      Location                      Operational duration  2) Ballot drop-off location Number                      Location                      Operational duration  3) Precinct consolidation Consolidation Waiver [Maximum number of voters in a precinct not to exceed 3,000]	



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**Additional Information Required for Waiver Request**

To complete your waiver request please fill out a separate document that addresses the questions detailed below. You need only address the questions relevant to the kind of waiver being requested.

Please add this documentation as an attachment to your Waiver Request Form.

For all waiver requests, please provide your county’s plan analyzing the impact of this waiver request on your in-person voting needs, as detailed pursuant to California Elections Code section 1604(b). Overall, this final plan must address how your proposed levels of in-person voting are designed to provide the following:

- a) Detailed efforts to secure the otherwise required number of voting locations;
- b) How you will prevent a negative disparate impact on any protected class\* of voters with respect to availability of voting locations and machines as well as language accessibility, including, but not limited to, the needs of disabled voters and individuals who do not have a history of voting by mail; and
- c) That the plan will not reduce in-person voting locations below a number of locations necessary to safely and efficiently accommodate the anticipated demand for in-person voting services.

\* “Protected class” means a class of voters who are members of a race, color, or language minority group, as referenced and defined in the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

If you are requesting a waiver for the number of “VCA-like” consolidated polling places:

How many locations are you required to have?  
How many locations have you secured?  
For how many locations are you currently seeking a waiver?

If you are requesting a waiver for the location of “VCA-like” consolidated polling places:

Where are polling places required to be located?  
Where do you want them to be located?  
For how many locations are you currently seeking a waiver?

If you are requesting a waiver for the operational duration of “VCA-like” consolidated polling places:

How are you seeking to change what is required?  
For what time period?

If you are requesting a waiver for the number of ballot drop-off locations:

How many locations are you required to have?  
How many locations have you secured?  
For how many locations are you currently seeking a waiver?



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If you are requesting a waiver for the location of ballot drop-off locations:

Where are the drop-offs required to be located?

Where do you want them to be located?

For how many drop-off locations are you currently seeking a waiver?

If you are requesting a waiver for the operational duration of ballot drop-off locations:

How are you seeking to change what is required?

For what dates?

If you are seeking a waiver for precinct consolidation:

How many precincts are you attempting to consolidate?

Thank you for your submission. The Secretary of State's office (SOS) will review the information provided and may request additional information. As part of the review, SOS staff may also contact you to offer additional assistance before making a waiver determination.

To be completed by SOS:

Waiver has been approved.

Waiver has been denied.

Waiver has been approved with the following modifications:

**Date Request Received:**

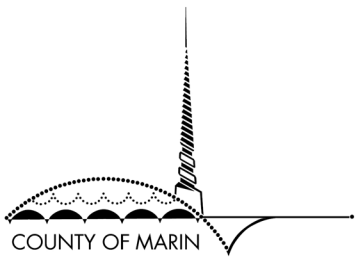
**Date Decision Transmitted:**

**SOS Staff Contact Information**

**Name:**

**Email:**

**Phone:**



# ELECTIONS DEPARTMENT

Providing a responsive, transparent, and professional approach to conducting elections.

Lynda Roberts  
REGISTRAR OF VOTERS

Melvin Briones  
ASSISTANT REGISTRAR OF  
VOTERS

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July 16, 2021

## California Gubernatorial Recall Election September 14, 2021 Plan for Precincts and Polling Places

Pursuant to Elections Code §1604 (Senate Bill 152), the County of Marin is requesting a precinct consolidation waiver regarding the maximum number of voters in a precinct under Elections Code §12223, not to exceed 3,000 voters for the September 14, 2021 California Gubernatorial Recall Election.

Given the extremely short amount of time to find polling places and the number of unavailable locations, we must consolidate a number of precincts to include over 1,000 and up to 3,000 voters.

Out of 94 polling place voting precincts, 67 precincts need to be consolidated as follows:

- 32 voting precincts over 1,000 but less than 2,000 voters
- 19 voting precincts over 2,000 but less than 3,000 voters
- 16 voting precincts up to 3,000 voters but not exceeding 3,000 voters

### Efforts to secure the required in-person voting locations

In a statewide election, Marin County typically uses 88 facilities that have served as polling places for many years. Since the date the recall election was set (July 1), we have been contacting all facilities and have continued this effort each day via phone calls, follow-up phone calls, emails, letters, and site visits. In addition, the Elections Department issued a news release on July 8 expressing the urgent need for voting locations. As of the date of this plan:

- 66 locations are confirmed
- 16 locations are not available due to ongoing concerns about the COVID-19 pandemic or being reserved for another event
- 6 locations are pending confirmation; staff is having difficulty getting in touch with the contact person

There is not enough time to secure the required number of polling places we typically use in a statewide election and still meet all election deadlines.

Plans to avoid a negative disparate impact

With respect to voting locations:

- We are using known locations so all locations have been surveyed for accessibility and mitigated as necessary, and voters are familiar with these locations.
- We have secured locations in areas that serve language and disability needs and locations in areas with a history of low vote by mail usage.
- Polling places will be organized and conducted according to standard practices and services, including:
  - Possessing the required minimum number of accessible ballot marking devices
  - Offering facsimile ballots printed in required languages
  - Offering the opportunity for curbside voting
  - All other services required to be offered at polling places
- As much as possible, locations will be most central to the precincts being served.
- Larger sites will be selected over smaller sites, especially when more than one consolidated voting precinct will be assigned to that location.
- Two official vote by mail ballot drop boxes will be located at the centrally-located County Civic Center and will be available 24 hours per day starting August 16 (E-29)—one walk-up drop box and one drive-thru drop box.
- We will assess the need for additional early drop-box sites based on the need of areas without a polling place.

Accommodating anticipated demand for in-person voting

We are confident our plan will not reduce in-person voting locations below a number of locations necessary to accommodate the anticipated demand to provide safe and efficient in-person voting services based on the following:

- For this election, all active registered voters will receive a ballot in the mail. Voters that normally don't vote by mail experienced this in the November 2020 election, so this will not be a new process.
- Marin County has a high rate of vote-by-mail voters—currently, 86% of Marin County voters are registered as permanent vote by mail voters.

- Due to this very high rate of vote by mail, fewer voters go to polling places. Polling place turnout in November 2020 (an all-mail election) was less than 10%.
- Using the planned consolidation, the number of polling place voters (non-VBM) will be as follows:
  - 45 locations: 12% or less
  - 18 locations: 13%-15%
  - 4 locations: 16%-20%

Past experience shows that polling places are capable of handling multiple precincts with this number of voters.

- All of the foregoing plus the availability of official vote by mail drop boxes will result in a manageable in-person turnout at Marin County polling places.