



INYO COUNTY BOARD OF SUPERVISORS

DAN TOTTEROH • JEFF GRIFFITHS • RICK PUCCI • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA

Board of Supervisors Room - County Administrative Center
224 North Edwards, Independence, California

NOTICES TO THE PUBLIC: (1) This meeting is accessible to the public both in person and via Zoom webinar. Individual Board members may participate remotely in accordance with applicable open meeting law requirements. In-person meetings will be conducted in accordance with local and State Department of Public Health orders and guidance and requirements of the California Division of Occupational Safety and Health (CalOSHA). The Zoom webinar is accessible to the public at <https://zoom.us/j/868254781>. The meeting may also be accessed by telephone at the following numbers: (669) 900-6833; (346) 248-7799; (253) 215-8782; (929) 205-6099; (301) 715-8592; (312) 626-6799. Webinar ID: 868 254 781. Anyone unable to attend the Board meeting in person who wishes to make either a general public comment or a comment on a specific agenda item prior to the meeting, or as the item is being heard, may do so either in writing or by utilizing the Zoom "hand-raising" feature when appropriate during the meeting (the Chair will call on those who wish to speak). Generally, speakers are limited to three minutes. Written public comment, limited to **250 words or less**, may be emailed to the Assistant Clerk of the Board at boardclerk@inyocounty.us. Your comments may or may not be read aloud, but all comments will be made a part of the record. Please make sure to submit a separate email for each item that you wish to comment upon.

(2) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373 (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

REGULAR MEETING **December 13, 2022**

(Unless otherwise specified by time, items scheduled for either the morning or afternoon sessions will be heard according to available time and presence of interested persons.)

Start Time

- 8:30 A.M.** 1. **Public Comment on Closed Session Item(s)**
Comments may be time-limited

CLOSED SESSION

2. **Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to § 54956.9(d)(4)** - Number of cases: one. Facts and circumstances: Fire Damage to Commander's House Property.
3. **Public Employee Performance Evaluation – Pursuant to Government Code §54957 – Title: County Counsel.**
4. **Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code §54956.9(d)(1)** – Name of case: *Inyo County v. Wilder Barton Inc.* (Case No. SICVCV 19-64071).

OPEN SESSION (With the exception of timed items, which cannot be heard prior to their scheduled time, all open-session items may be considered at any time and in any order during the meeting in the Board's discretion.)

- 10 A.M.**
5. **Pledge of Allegiance**
 6. **Report on Closed Session as Required by Law**
 7. **Introductions** - The following new employees will be introduced to the Board: Aurelio Lopez Gurrola, Residential Caregiver, Marilyn Scott, Program Services Assistant, and Sheena Vanvelzer, Program Services Assistant, HHS; and Levi Mallory, Gate Attendant, and Doug Watterson Jr., Heavy Equipment Operator, Public Works.
 8. **Public Comment**
Comments may be time-limited
 9. **County Department Reports**

CONSENT AGENDA (Items that are considered routine and are approved in a single motion; approval recommended by the County Administrator)

10. **ISP Non-Disclosure Agreement and Related Resolution**

County Administrator - Information Services | Scott Armstrong

Recommended Action: Request Board: A) Authorize CAO to enter into non-disclosure agreements with internet service providers, in a form substantially consistent with the attached example, in order to facilitate discussions of potential broadband network expansion within the County; and B) Approve Resolution No. 2022-50, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the County Administrative Officer, or Designee, to Destroy Records Received From Internet Service Providers Under A Nondisclosure Agreement Pursuant to Government Code Section 26205.1."

11. **Inyo County Yucca Mountain Repository Assessment Office Federal Funding Certification**

Planning Department - Yucca Mountain | Cathreen Richards

Recommended Action: Request Board:

- A) Certify that \$49,566.17 in funds provided to Inyo County as an Affected Unit of Local Government (AULG) under the Nuclear Waste Policy Act, as amended, have been expended in accordance with the provisions of that Act, Public Law 97-425 and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 111-85);
- B) Authorize the Chairperson to sign the certification; and
- C) Direct Staff to submit the certification to the U.S. Department of Energy.

REGULAR AGENDA

12. **Workshop on Commercial Cannabis Business License Fees**

Agricultural Commissioner | Nathan Reade
30 minutes (10min. Presentation / 20min. Discussion)

Recommended Action: Request Board: A) conduct workshop on county commercial cannabis business license fees; and B) provide any follow-up direction to staff as necessary.

13. **Application for California Cultural and Historical Endowment Museum Grant Program**

County Administrator - Museum | Shawn Lum
10 minutes (5min. Presentation / 5min. Discussion)

Recommended Action: Request Board approve Resolution No. 2022-51 to approve the application for grant funds from the California museum grant program.

14. **Presentation on Office of the Public Administrator**

Public Administrator-Public Guardian | Patricia Barton
20 minutes (15min. Presentation / 5min. Discussion)

Recommended Action: Requestion Board hear presentation about the Office of the Public Administrator.

15. **Approval of Board of Supervisors Meeting Minutes**

Clerk of the Board | Darcy Ellis
N/A

Recommended Action: Request Board approve the minutes of the regular Board of Supervisors meeting of December 6, 2022.

ADDITIONAL PUBLIC COMMENT & REPORTS

16. **Public Comment**

Comments may be time-limited

17. **Receive updates from Board members and County staff**



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DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 13, 2022

Reference ID:
2022-3296

ISP Non-Disclosure Agreement and Related Resolution County Administrator - Information Services

ACTION REQUIRED

ITEM SUBMITTED BY

Scott Armstrong, Information Services Director

ITEM PRESENTED BY

Scott Armstrong, Information Services Director

RECOMMENDED ACTION:

Request Board: A) Authorize CAO to enter into non-disclosure agreements with internet service providers, in a form substantially consistent with the attached example, in order to facilitate discussions of potential broadband network expansion within the County; and B) Approve Resolution No. 2022-50, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the County Administrative Officer, or Designee, to Destroy Records Received From Internet Service Providers Under A Nondisclosure Agreement Pursuant to Government Code Section 26205.1."

BACKGROUND / SUMMARY / JUSTIFICATION:

The Inyo County Information Services (IS) Department is actively engaged in efforts to expand and improve broadband service throughout the County. In furtherance of these efforts, IS staff now requests Board approval for the CAO to execute the attached NDA agreement with ISPs in relation to broadband expansion and broadband service efforts. With an NDA(s) in place, ISPs may provide detailed network and service data that could allow IS staff to better support and coordinate expansion and service improvement efforts. In addition, IS staff requests Board authority for the CAO, or designee, to authorize the destruction of records received under these NDAs, pursuant to Government Code section 26205.1.

FISCAL IMPACT:

Funding Source	N/A	Budget Unit	
Budgeted?	N/A	Object Code	
Recurrence	N/A		
Current Fiscal Year Impact			
Future Fiscal Year Impacts			
Additional Information			

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

Your Board could choose not to enter into the NDAs with ISPs. That would inhibit the County's ability to facilitate private company investment into local ISP infrastructure.

OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

ATTACHMENTS:

1. Resolution - ISP Non-Disclosure Agreement
2. DRAFT - Broadband ISP NDA

APPROVALS:

John Vallejo	Created/Initiated - 11/30/2022
Darcy Ellis	Approved - 11/30/2022
Scott Armstrong	Approved - 11/30/2022
John Vallejo	Approved - 11/30/2022
Amy Shepherd	Final Approval - 12/1/2022

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF INYO, STATE OF CALIFORNIA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO DESTROY RECORDS RECEIVED FROM INTERNET SERVICE PROVIDERS UNDER A NONDISCLOSURE AGREEMENT PURSUANT TO GOVERNMENT CODE SECTION 26205.1

WHEREAS, the Inyo County Information Services (IS) Department works to expand and improve broadband service throughout Placer County; and

WHEREAS, entering nondisclosure agreements with internet service providers (ISPs) may allow IS staff to receive more detailed network and service data that could support County efforts to expand and improve broadband service; and

WHEREAS, state law allows for the destruction of records which are not received pursuant to state statute or county charter and which are not expressly required by law to be filed and preserved; and

WHEREAS, materials received from ISPs pursuant to nondisclosure agreements would not be received pursuant to state statute or county charter and are not expressly required by law to be filed and preserved—and such records may therefore be lawfully destroyed upon determination of the Chief Administrative Officer, pursuant to Government Code section 26205.1, upon the adoption of a resolution authorizing a county officer to destroy such records.

NOW, THEREFORE, BE IT RESOLVED that the Inyo County Board of Supervisors that the County hereby authorizes the Chief Administrative Officer, or designee, to destroy records received from internet service providers related to broadband expansion and service efforts, which records are received pursuant to a nondisclosure agreement, in accordance with Government Code section 26205.1.

PASSED AND ADOPTED on this ____ day of _____ 2022, by the Inyo County Board of Supervisors, County of Inyo, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jennifer Roeser, Vice Chairperson
Inyo County Board of Supervisors

ATTEST:

NATE GREENBERG
Clerk of the Board

By: _____
Darcy Ellis, Assistant

**BROADBAND INTERNET SERVICE PROVIDER (ISP)
NONDISCLOSURE AGREEMENT**

This Nondisclosure Agreement (“NDA”) is entered into as of the last signature date below (“Effective Date”), between the County of Inyo, a political subdivision of the State of California (hereinafter “County”), and [NAME OF INTERNET SERVICE PROVIDER] (hereinafter the “ISP”, collectively “Parties”).

WHEREAS, ISP wishes to provide County with certain confidential information related to its network data to facilitate discussions of potential broadband network expansion within the County.

WHEREAS, County wishes to receive such information to have informed conversations with the ISP about potential broadband network expansion within the County.

THEREFORE, the parties agree as follows:

1. Provision of Confidential Information.

- A. “Confidential Information” means data of any kind, including written records, whether hardcopy or digital, spreadsheets, images, photographs, and maps, which is (i) provided by the ISP to the County pursuant to this NDA; (ii) non-public, confidential, or proprietary to the ISP; and (iii) marked as confidential by the ISP. “Confidential Information” does not include information which County obtains from other sources, regardless of whether it is additionally provided by ISP under this Agreement.
- B. If the ISP provides any Confidential Information to the County, the ISP will clearly indicate in writing which records are confidential, prior to or concurrent with the provision of information to the County.
- C. Confidential Information provided under this Agreement is not provided pursuant to state statute or county charter.

2. Destruction of Confidential Information.

- A. County will destroy Confidential Information received under this NDA within five (5) business days of receiving a written request from the ISP or upon determination by the County Administrative Officer.

3. Nondisclosure of Confidential Information. Except as otherwise provided herein:

- A. The County will not discuss, disclose, publish, or disseminate any Confidential Information received or accessed under this NDA to anyone other than the ISP.
- B. The County will not use the ISP’s Confidential Information except for the purpose for which it was disclosed. It is understood by the Parties that the Confidential Information is being disclosed for the purpose of, among other things, enabling County to better understand the service provided by the ISP; to learn of improvements to the service made or planned to be made by the ISP; and to work with the ISP to identify where there may be a need for additional changes to further improve service quality. Nothing in this NDA prohibits County from sharing the Confidential Information with any other member of the Rural Counties Coalition (Mono, Placer, Inyo and Nevada Counties and the Towns of Truckee and Mammoth Lakes) that has signed an NDA, in substantially the form of this Agreement, with the ISP. County may use or disclose summary/aggregated information obtained pursuant to this NDA, together with information that is publicly available and/or otherwise known to County, to convey general trends, issues or progress being made.

- C. The Confidential Information conveyed to the County will remain subject to this NDA so long as such information remains nonpublic, confidential, or proprietary to the ISP.
4. Public Request Procedure. If the County receives a request for Confidential Information pursuant to the California Public Records Act or a court order (e.g., subpoena) for Confidential Information, the Parties agree to the following process and responsibilities:
- A. The County will notify the ISP of the request in writing within five (5) business days of County's receipt of the request.
 - B. If the ISP wishes to prevent the disclosure of the requested Confidential Information, the ISP is required to obtain a protective order, injunctive relief, or other appropriate remedy from a court of law in Inyo County before the County's deadline for responding to the request.
 - C. If the ISP provides the County with a judicial order (such as a protective order) prohibiting disclosure of the Confidential Information, the County will adhere to that order.
 - D. If the ISP does not provide the County with a judicial order prohibiting disclosure of the requested Confidential Information, the County has no obligation to maintain the confidentiality of the Confidential Information, and the County may comply with the request and provide the Confidential Information to the requesting party.
 - E. The ISP further agrees that it shall defend, indemnify and hold County harmless against any claim, action or litigation (including but not limited to all judgments, costs, fees, and attorneys' fees) that may result from denial by County of a CPRA request for information arising from any representation, or any action (or inaction), by the ISP.
5. Breach and Remedies. Both Parties agree that monetary damages would be inadequate to compensate the ISP for any breach of this NDA and that any such breach shall cause irreparable injury to the ISP. In addition to any other remedies that may be available for such breach, and without proving actual damages, the ISP shall be entitled to obtain injunctive relief against the continued or threatened breach of this NDA.
6. No Rights or License. Neither this NDA nor any disclosure of Confidential Information made under it grants County any right or license under any trademark, copyright, or patent now or subsequently owned or controlled by the ISP.
7. No Commitment. This NDA does not require either Party to disclose or receive Confidential Information, perform any work, or enter into any business engagement or other agreement.
8. Termination. Either of us may terminate this NDA by providing thirty (30) days written notice to the other party, however the Confidentiality Period and any other terms of this NDA which by their nature extend beyond its termination shall remain in effect.
9. Governing Law. This NDA is governed by and shall be construed in accordance with the laws of the State of California.
10. Disputes. Regarding any disputes which arise out of this NDA, each party consents to the exclusive jurisdiction of Inyo County Superior Court. Each Party waives any federal original or removal jurisdiction it may have.
11. No Assignability. Neither Party may assign its obligations under this NDA without the other's prior written consent. Only a written agreement signed by both Parties can modify this NDA.
12. Merger Clause. This NDA is the Parties' complete agreement regarding Confidential Information and replaces all prior agreements. Any reproduction of this NDA made by reliable

means (for example, electronic image, photocopy, or facsimile) is considered an original and all disclosures of Confidential Information under this NDA are subject to it.

13. Electronic Signature. This NDA may be signed in counterparts and/or electronically, in accordance with California state law requirements for e-signatures.

[signatures follow on next page]

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Agreement as of the day first above stated:

**INTERNET SERVICE PROVIDER
("COMPANY")***

Signature

Print Name

Chair of the Board, President, or
 Vice President

Date: _____

COUNTY OF INYO ("COUNTY")

Date: _____

Signature

Print Name

Secretary, Asst. Secretary,
 Chief Financial Officer, or Asst. Treasurer

Date: _____

APPROVED AS TO FORM
INYO COUNTY COUNSEL'S OFFICE

Signature

Date: _____



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COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 13, 2022

Reference ID:
2022-3316

Inyo County Yucca Mountain Repository Assessment Office Federal Funding Certification Planning Department - Yucca Mountain ACTION REQUIRED

ITEM SUBMITTED BY

Cathreen Richards, Planning Director

ITEM PRESENTED BY

Cathreen Richards, Planning Director

RECOMMENDED ACTION:

Request Board:

- A) Certify that \$49,566.17 in funds provided to Inyo County as an Affected Unit of Local Government (AULG) under the Nuclear Waste Policy Act, as amended, have been expended in accordance with the provisions of that Act, Public Law 97-425 and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 111-85);
- B) Authorize the Chairperson to sign the certification; and,
- C) Direct Staff to submit the certification to the U.S. Department of Energy.

BACKGROUND / SUMMARY / JUSTIFICATION:

Section 116(c) of the Nuclear Waste Policy Act of 1982 (Act), as amended, defines the activities that may be undertaken by affected units of local government, which include monitoring, oversight, and impact assessment. The Nuclear Waste Policy Act of 1982 and the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111-85) prohibit the use of these funds to pursue legislation against the U.S. Government, for any lobbying activity, or to support multi-state efforts or other coalition building activities inconsistent with the restrictions contained in the Act. Under the Energy and Water Development and Related Agencies Appropriations Act, in Federal Fiscal Year 2022, monies were expended by Inyo County which had been previously provided to the County by the U.S. Department of Energy to conduct appropriate activities and participate in licensing activities. The Nuclear Waste Policy Act requires that the County annually certify that the funds were used in accordance with the Act and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 111-85).

The Yucca Mountain Repository Assessment Office under the guidance of the Planning Department has been responsible for the expenditure of the funds received from the Department of Energy. These funds have been expended in accordance with the relevant Federal laws as stated in the certification. The attached certification form states that the monies received from the U.S. Department of Energy were expended by Inyo County on activities that are allowable as defined under applicable federal laws, including the Nuclear Waste Policy Act of 1982, Public Law 97-425 and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 111-85). The 2021-2022

expenditures were primarily used for the County’s hydrological consultants to monitor wells for groundwater data in the Amargosa and Death Valley regions as it pertains to the Yucca Mountain Repository project.

FISCAL IMPACT:

Funding Source	Non-General Fund	Budget Unit	620605
Budgeted?	Yes	Object Code	
Recurrence	Ongoing		
Current Fiscal Year Impact			
Future Fiscal Year Impacts			
Additional Information			

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

The Board could decide not to submit the annual certification; however, if a certification is not submitted, the County would no longer be eligible to receive funds for this program.

OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

ATTACHMENTS:

1. Yucca Mountain FY21-22

APPROVALS:

Darcy Ellis	Created/Initiated - 12/7/2022
John Vallejo	Approved - 12/7/2022
Amy Shepherd	Approved - 12/7/2022
Nate Greenberg	Approved - 12/7/2022
Cathreen Richards	Final Approval - 12/7/2022

Yucca Mtn - 620605
 Federal Fiscal Year 10/01/21~09/30/2022

Name	Object Code	Amount
<i>Revenue</i>		
<u>Interest From Treasury</u>	4301	\$2,417.19
<i>Expenditures</i>		
Retiree Health Benefits	5025	\$4,510.44
External Charges	5124	\$7,679.88
Professional Charges	5265	\$39,344.47
General Operating	5311	\$77.56
County Cost Plan	5315	\$371.01
		\$51,983.36
	Revenue	\$2,417.19
	Expenditure	\$51,983.36
		\$49,566.17

SELECT BUDGET UNIT: 620605 ; OBJECT: 4000-4999

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LG BUDGET UNIT	Primary Ref	Transaction Description	SS Ref Date	Job No	Debit	Credit	NET
GL 620605-4301	INTEREST	1ST QRT 21/22 INTEREST	JE 11/08/21	03052784	0.00	362.46	362.46
GL 620605-4301	INTEREST	2ND QRT 21/22 INTEREST	JE 03/08/22	03118464	0.00	936.55	1,299.01
GL 620605-4301	INTEREST	3RD QRT 21/22 INTEREST	JE 06/26/22	03216797	0.00	1,024.84	2,323.85
GL 620605-4301	INTRCBL	4th QTR INTEREST	JE 06/30/22	03229112	0.00	93.34	2,417.19
*****Total *OBJT 4301		INTEREST FROM TREASURY		CR		2,417.19	2,417.19
*****Total *BUDG 620605		YUCCA MOUNTAIN OVERSIGHT		DR-CR		2,417.19	-2,417.19

** G R A N D T O T A L ** DR-CR 0.00 2,417.19 -2,417.19

SORT ORDER: OBJECT within BUDDUNIT
SELECT BUDGET UNIT: 620605 ; OBJECT: 5000-5999

Ly BUDGET UNIT	Primary Ref	Transaction Description	SS Ref	Date	Job No	Debit	Credit	NET
GL 620605-5025	RETHLTH021	OCT21 RETIREE HEALTH	JE	10/31/21	03017823	360.17	0.00	360.17
GL 620605-5025	RETHLTH121	NOV21 RETIREE HEALTH	JE	11/30/21	03017824	360.17	0.00	720.34
GL 620605-5025	RETHLTH121	DEC21 RETIREE HEALTH	JE	12/31/21	03017825	360.17	0.00	1,080.51
GL 620605-5025	RETHLTH0122	JAN22 RETIREE HEALTH	JE	01/31/22	03017828	360.17	0.00	1,440.68
GL 620605-5025	RETHLTH0222	FEB22 RETIREE HEALTH	JE	02/28/22	03017830	360.17	0.00	1,800.85
GL 620605-5025	RETHLTH0322	MAR22 RETIREE HEALTH	JE	03/31/22	03017831	360.17	0.00	2,161.02
GL 620605-5025	RETHLTH0422	APR22 RETIREE HEALTH	JE	04/30/22	03017832	360.17	0.00	2,521.19
GL 620605-5025	RETHLTH0522	MAY22 RETIREE HEALTH	JE	05/31/22	03017833	360.17	0.00	2,881.36
GL 620605-5025	RETHLTH0622	JUN22 RETIREE HEALTH	JE	06/30/22	03017864	360.13	0.00	3,241.49
GL 620605-5025	RETHLTH0722	JUL22 ACTUAL RETIREE HEALTH	JE	06/30/22	03177848	69.46	0.00	3,310.95
GL 620605-5025	RETHLTH0822	2223 ACTUAL RETIREE HEALTH	JE	07/30/22	03276051	399.83	0.00	3,710.78
GL 620605-5025	RETHLTH0922	2223 ACTUAL RETIREE HEALTH	JE	08/31/22	03276054	399.83	0.00	4,110.61
*****Total *OBJT 5025		RETIREE HEALTH BENEFITS	JE	09/30/22	03276167	399.83	0.00	4,510.44
*****Total *OBJT 5025					DR	4,510.44	0.00	4,510.44
GL 620605-5124	JE40099	I#2021-67 YUCCA MT OVERSITE	JE	10/07/21	03025272	1,950.96	0.00	1,950.96
GL 620605-5124	JE40731	21/22 YUCCA STORAGE	JE	01/06/22	03078862	1,200.00	0.00	3,150.96
GL 620605-5124	JE41752	I#2022-21 YUCCA MT JUL21-MAR22	JE	05/09/22	03161054	2,229.42	0.00	5,380.38
GL 620605-5124	JE21184	YUCCA MT I#2022-93 0401-063022	JE	06/26/22	03242716	2,299.50	0.00	7,679.88
*****Total *OBJT 5124		EXTERNAL CHARGES			DR	7,679.88	0.00	7,679.88
GL 620605-5265	159552	ROUX ASSOCIATES JUL-AUG21 INYO	OH	11/18/21	03052070	190.00	0.00	190.00
GL 620605-5265	160693	ROUX ASSOCIATES SEP-OCT21 INYO	OH	11/18/21	03052070	11,461.84	0.00	11,651.84
GL 620605-5265	161289	ROUX ASSOCIATES OCT-NOV21 INYO	OH	12/06/21	03060902	3,337.63	0.00	14,989.47
GL 620605-5265	162099	ROUX ASSOCIATES NOV-DEC21 INYO	OH	01/19/22	03086260	280.00	0.00	15,269.47
GL 620605-5265	90955396	U.S. GEOLOGICAL CUST# 60000010	OH	01/21/22	03088567	2,000.00	0.00	17,269.47
GL 620605-5265	162462	ROUX ASSOCIATES DEC21-JAN22 INYO	OH	02/22/22	03107543	57.50	0.00	17,326.97
GL 620605-5265	90975623	U.S. GEOLOGICAL CUST# 60000010	OH	04/21/22	03149111	2,000.00	0.00	19,326.97
GL 620605-5265	164482	ROUX ASSOCIATES MAR22-APR22 IN	OH	05/10/22	03161916	779.00	0.00	20,105.97
GL 620605-5265	164905	ROUX ASSOCIATES P#3777.000IS00	OH	06/23/22	03194922	12,025.00	0.00	32,130.97
GL 620605-5265	050122-053122	JAMES, GREGORY LEGAL SERVICES	OH	06/26/22	03212264	92.50	0.00	32,223.47
GL 620605-5265	90995981	U.S. GEOLOGICAL CUST# 60000010	OH	06/26/22	03217524	2,000.00	0.00	34,223.47
GL 620605-5265	165594	ROUX ASSOCIATES P#3777.000IS00	OH	06/30/22	03199394	3,121.00	0.00	37,344.47
GL 620605-5265	91010948	U.S. GEOLOGICAL CUST# 60000010	OH	09/15/22	03253489	2,000.00	0.00	39,344.47
*****Total *OBJT 5265		PROFESSIONAL & SPECIAL SERVICE			DR	39,344.47	0.00	39,344.47
GL 620605-5311	SFO4222P	APR22 PAPER BILLING	JE	05/16/22	03166210	77.56	0.00	77.56
*****Total *OBJT 5311		GENERAL OPERATING EXPENSE			DR	77.56	0.00	77.56
GL 620605-5315	COSTPLAN0722	JUL22 COSTPLAN	JE	07/31/22	03275642	123.67	0.00	123.67
GL 620605-5315	COSTPLAN0822	SEP22 COSTPLAN	JE	08/31/22	03275648	123.67	0.00	247.34
GL 620605-5315	COSTPLAN0922	SEP22 COSTPLAN	JE	09/30/22	03275674	123.67	0.00	371.01
*****Total *OBJT 5315		COUNTY COST PLAN			DR	371.01	0.00	371.01
*****Total *BUDG 620605		YUCCA MOUNTAIN OVERSIGHT			DR-CR	51,983.36	0.00	51,983.36
		** G R A N D T O T A L **			DR-CR	51,983.36	0.00	51,983.36



INYO COUNTY BOARD OF SUPERVISORS

DAN TOTTEROH • JEFF GRIFFITHS • RICK PUCCI • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 13, 2022

Reference ID:
2022-3317

Workshop on Commercial Cannabis Business License Fees

Agricultural Commissioner

ACTION REQUIRED

ITEM SUBMITTED BY

Nathan Reade, Ag Commissioner

ITEM PRESENTED BY

Nathan Reade, Ag Commissioner

RECOMMENDED ACTION:

Request Board: A) conduct workshop on county commercial cannabis business license fees; and B) provide any follow-up direction to staff as necessary.

BACKGROUND / SUMMARY / JUSTIFICATION:

The County Commercial Cannabis Permitting Office (C3PO), which is administered by the Agriculture Department, provides review of applications for cannabis business licenses as well and renewal and compliance inspection of existing licenses. These activities are funded through license fee revenue received from licensees and license applicants.

Revenue from fees had been sufficient during the first four years of this program to cover costs associated with permitting. Beginning in the 21/22 fiscal year, revenues have dropped and expenditures have increased, leading to a deficit in program funds. This situation is due to several factors which will be reviewed in the workshop presentation.

This item is intended to provide your board with data and information on the C3PO fees and costs, as well as provide information on other entities engaging in commercial cannabis licensing. This item also seeks discussion and direction from your board on the C3PO fee schedule.

FISCAL IMPACT:

Funding Source	N/A	Budget Unit	
Budgeted?	N/A	Object Code	
Recurrence	N/A		
Current Fiscal Year Impact			
Future Fiscal Year Impacts			

Additional Information

This item is intended to gather information and direction from your board and return for a board action if so desired that would increase revenues into the C3PO budget unit.

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

Your Board could choose not to participate in this workshop.

OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

ATTACHMENTS:

1. Cannabis Fees 2022

APPROVALS:

Darcy Ellis	Created/Initiated - 12/7/2022
John Vallejo	Approved - 12/7/2022
Amy Shepherd	Approved - 12/7/2022
Nate Greenberg	Approved - 12/7/2022
Nathan Reade	Final Approval - 12/7/2022



Counties of Inyo and Mono

Agriculture • Weights & Measures • Owens Valley Mosquito Abatement Program • Eastern Sierra Weed Management Area
Mammoth Lakes Mosquito Abatement District • Inyo County Commercial Cannabis Permit Office



Cannabis Fee Study Workshop

Inyo County Board of Supervisors

November 29, 2022



The Background

- 2017
 - Voters in Inyo County pass a ballot measure allowing commercial cannabis operations
 - Inyo County Board of Supervisors passes ordinance laying out how licensing and oversight of licensees will occur
- 2018
 - 35 applications are reviewed, 27 are approved and issued
- 2019
 - 4 applications are received, 4 issued
- 2020
 - 3 applications received, 2 issued
- 2021
 - 6 applications received, 1 issued



The Background

	2018	2019	2020	2021	2022
Applied	35	4	3	6	0
Issued	27	0	2	4	2
Revoked	0	0	0	0	3
Surrendered	0	2	8	1	8
Active	27	25	19	22	13



Program Revenue and Expenses

	17/18	18/19	19/20	20/21	21/22
Revenues	\$84,113	\$106,345	\$226,827	\$190,186	\$140,903
Expenditures	\$0	\$20,994	\$133,169	\$134,652	\$248,341
	\$84,113	\$85,351	\$93,658	\$55,534	\$(107,438)



Program Revenue and Expenses

- All program costs funded by licensing fees
 - Application review (application fee - \$2,700)
 - Compliance inspections (license fee - \$8,850 per year)



The Issue

- Current revenues are not covering the cost of the program anymore
 - Application review is tedious and time intensive, on average 80 hours per application in agriculture staff time
 - Some take longer and require extensive coordination with other offices
 - Majority of enforcement/compliance inspections occur in very remote locations
 - Lots of enforcement work is on unlicensed grows



Possible Solutions

- Many different models exist for cannabis application and licensing fees
 - Pre-application fees
 - Consultation fees
 - Application fees
 - Business license fees
 - Renewal review fees
 - Compliance fees
 - Termination fees
 - ...and taxes



Survey Results

- El Dorado County
- Ventura County
- San Mateo County
- San Joaquin County
- Monterey County
- Mono County
- San Benito County
- Stanislaus County
- Yolo County
- California City
- City of Goleta
- City of Santa Cruz
- City of Modesto



Survey Results

- Application fees
 - Average of the flat rate counties: \$8,164
 - Mono County: \$990 deposit + hourly rate
 - San Joaquin County: \$2,736 + \$152/hr. consultation fees
- Flat fee
- Flat fee + hourly rate



Survey Results

- License fees
 - Average of the flat rate counties: \$8,910
 - San Joaquin County: \$5,219 + \$456 renewal review fee + \$152/hr.
 - Yolo County: \$21,392 + \$239/hr. compliance fee
 - + \$3,786 fee on cultivation only
 - + \$2,500/acre fee for every 1/4 acre after the first 1/4 acre
- Flat fee
- Flat fee + hourly rate
- Flat fee + hourly rate + review fee
- Flat fee + hourly rate + acreage fee



Survey Results - Variation

- Application fees
 - Low - \$2,786
 - High - \$14,897
- License fees
 - Low - \$100
 - High - \$30,316



Survey Results – Some Oddities

- San Mateo County charges a \$200 fee to terminate a license
- Ventura County does not charge an application fee
- Monterey County does not charge any fees, only taxes
 - Indoor \$7.00 sq. ft. (\$304,920/acre)
 - Mixed Light \$3.00 sq. ft. (\$130,680/acre)
 - Outdoor/Nursery \$1.00 sq. ft. (\$43,560/acre)
 - No taxes on Distribution
- City of Santa Cruz does not charge fees, only taxes
 - 7% on all activities except
 - 2% Distribution
 - 1% Testing
- Stanislaus County does not levy taxes
 - Requires cannabis businesses to enter into development agreements the include a community benefit fee



How Do We Compare?

	Current Fee	Actual Cost (Average)	Difference	Survey Low	Survey High	Average of Survey
Application Fee	\$2,700	\$9,229	(\$6,529)	\$2,786	\$14,897	\$8,164*
License Fee	\$8,500	\$13,358	(\$4,858)	\$100	\$30,316	\$8,910*

*Many entities charge an hourly rate or other fee as well



Some Options...

1. Raise fees to meet costs
 - Application fees of \$9,300 to \$9,500
 - License fees of \$13,500 to \$13,700
2. Alter fee schedule to raise application fee and/or renewal fee and add
 - a. Hourly rate for inspections
 - b. Add a fee based on acreage to cultivation sites
 - c. Combination of hourly rate and acreage rate depending on business type
3. Keep fees the same



Counties of Inyo and Mono

Agriculture • Weights & Measures • Owens Valley Mosquito Abatement Program • Eastern Sierra Weed Management Area
Mammoth Lakes Mosquito Abatement District • Inyo County Commercial Cannabis Permit Office



Cannabis Fee Study Workshop

Inyo County Board of Supervisors

November 29, 2022



INYO COUNTY BOARD OF SUPERVISORS

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DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 13, 2022

Reference ID:
2022-3297

Application for California Cultural and Historical Endowment Museum Grant Program

County Administrator - Museum

ACTION REQUIRED

ITEM SUBMITTED BY

Meaghan McCamman, Assistant County
Administrator

ITEM PRESENTED BY

Shawn Lum, Museum Administrator

RECOMMENDED ACTION:

Request Board approve Resolution No. 2022-51 to approve the application for grant funds from the California museum grant program.

BACKGROUND / SUMMARY / JUSTIFICATION:

This application for grant funding, if approved, will fund Eastern California Museum for a three-year multi-phase effort to create a more relevant in-person space, build a more robust virtual visitor experience, and honor previously untold, historically under-represented Tribal and rural stories of Eastern California. The project is designed to re-imagine the Eastern California Museum and to build a visitor-centered experience that more fully contextualizes the existing +30,000 object collection, through community stakeholder input, within the 6,000 sq. ft. gallery space. This project will improve equity and understanding of the diverse communities of Inyo County, and incorporate greater inclusion of the region's Indigenous communities, and transforms the museum from object-centered to narrative-centered interpretation themes.

The budgeted grant application amount is \$364,500 to be completed over 3 years from March 01, 2023 to March 01, 2026.

FISCAL IMPACT:

Funding Source	Grant Funded through the State of California Department of Natural Resources, California Cultural and Historical Endowment	Budget Unit	A new budget unit will be assigned to track this project.
Budgeted?	No	Object Code	various
Recurrence	Expenditures over 3 years 03.01.23 - 03.01.26		
Current Fiscal Year Impact			
An Amendment to the fiscal year budget will be needed and can be done during the Mid-Year Financial Review. This will increase ECM funding for the specific grant program by \$364,500 over 3 years. The			

grant application budget stipulates a minimum match of 5% but the submitted grant budget includes a 13% match that includes in-kind, donated services of identified contract service providers, and contingencies, as well as a line item for programming to be donated through the Friends of the Eastern California Museum (FECM).

Future Fiscal Year Impacts

Increases ECM funding over 3 years: part of FY 2022/2023, 2023/2024, 2024/2025 and part of 2025/2026

Additional Information

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

Without Board approval of this Resolution, Inyo County would not receive the grant award of \$364,500 for the Eastern California Museum.

OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

ATTACHMENTS:

1. Resolution

APPROVALS:

Shawn Lum	Created/Initiated - 12/6/2022
Darcy Ellis	Approved - 12/6/2022
Shawn Lum	Approved - 12/7/2022
Keri Oney	Approved - 12/7/2022
John Vallejo	Approved - 12/7/2022
Amy Shepherd	Approved - 12/8/2022
Denelle Carrington	Approved - 12/8/2022
Nate Greenberg	Final Approval - 12/8/2022

APPENDIX D – RESOLUTION TEMPLATE

Resolution No: _____
RESOLUTION (GOVERNING BODY OF GRANTEE)
APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE
CALIFORNIA MUSEUM GRANT PROGRAM

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the project.

NOW, THEREFORE, BE IT RESOLVED that the _____ (Governing Body)

1. Approves the filing of an application for the (*name of the project*); and
2. Certifies that Applicant understands the assurances and certification in the application package; and
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so; and
4. Certifies that it will comply with all provisions of Section 1771.5 of the California Labor Code; and
5. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act (CEQA)*, legal requirements for building codes, health and safety codes, and disabled access laws, and that prior to commencement of construction all applicable permits will have been obtained; and
6. Certifies that Applicant will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and
7. Appoints the (*designate position, not person occupying position*) _____, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

Approved and adopted the _____ day of _____ 20___. I, the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the _____ (Governing Body)

Following Roll Call Vote: Ayes: _____
 Nos: _____
 Absent: _____

Clerk/Secretary for the Governing Board



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NATE GREENBERG
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 13, 2022

Reference ID:
2022-3319

Presentation on Office of the Public Administrator Public Administrator-Public Guardian NO ACTION REQUIRED

ITEM SUBMITTED BY

Patricia Barton, Public Administrator

ITEM PRESENTED BY

Patricia Barton, Public Administrator

RECOMMENDED ACTION:

Requestion Board hear presentation about the Office of the Public Administrator.

BACKGROUND / SUMMARY / JUSTIFICATION:

This is an informational discussion.

FISCAL IMPACT:

Funding Source	N/A	Budget Unit	
Budgeted?		Object Code	
Recurrence			
Current Fiscal Year Impact			
Future Fiscal Year Impacts			
Additional Information			

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

N/A

OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

ATTACHMENTS:

- Public Administrator Powerpoint

APPROVALS:

Darcy Ellis
Patricia Barton

Created/Initiated - 12/7/2022
Final Approval - 12/7/2022



County of Inyo



PUBLIC ADMINISTRATOR

Show me the manner in which a nation or a community cares for its dead and I will measure with mathematical exactness the tender sympathies of it's people, their respect for the laws of the land and their loyalty to high ideals.

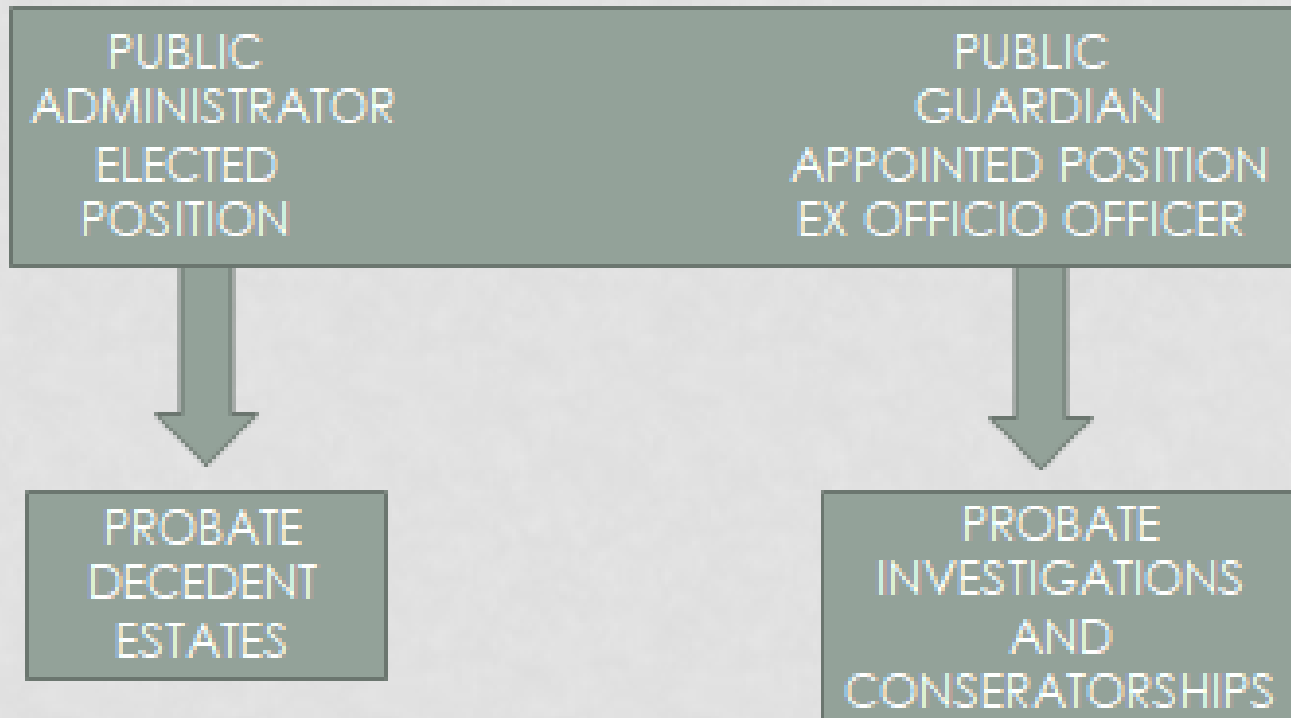
William E. Gladstone, Statesman & Prime Minister, UK



If we cannot come together to pause to respect our dead and the heroic lives of meaning they led, then truly ours is a civilization lost.

Mark McKinnon, American Political Advisor

PUBLIC ADMINISTRATOR / PUBLIC GUARDIAN DEPARTMENT



Public Administrator is elected pursuant to Government Code § 24009
Public Guardian is appointed pursuant to Government Code § 27430

REFERRALS

- CORONER- In County, In State & State of Nevada
- HOSPITALS
- MORTUARIES
- SUPERIOR COURT
- INTERESTED PARTIES
- LEGAL COMMUNITY
- GOVERNMENT AGENCIES
 - DHCS, Public Guardian, APS, Department of Mental Health



WHAT IS THE FUNCTION OF THE PUBLIC ADMINISTRATOR?

If no personal representative has been appointed, the Public Administrator of a county shall take prompt possession or control of property of a decedent in that County that is subject to loss, injury, waste or misappropriation, or that the Court orders into the possession or control of the Public Administrator after notice to the Public Administrator.

WHAT IS THE DUTY OF THE PUBLIC ADMINISTRATOR PRIOR TO APPOINTMENT?

A Public Administrator who is authorized to take possession or control of property of a decedent shall make a prompt search for other property, a will, and instructions for disposition of the decedent's remains.

If a Will is found, the Public Administrator or the custodian of the Will shall deliver the Will within 30 days to the Clerk of the Superior Court of the County in which the estate of the decedent may be administered.



TYPES OF CASES

- Indigent
- Elderly
- Hoarders
- Financial/Physical Abuse Victims
- Litigation
- Squatters
- Homeless
- Unidentified Persons
- Million Dollar Homes
- Many homes, trailers or rental property require full Haz Mat because decedent died in home and are not found until body has begun decomposition. Some because of lengthy illness, some because of suicide/ blood born pathogens.

COUNTY INDIGENT BURIAL/CREMATION

- Indigent families are eligible to apply
- Mortuary assists with paperwork and provides cremation services
- Public Guardian searches for and marshals assets and or liquidates tangible personal property and if possible reimburses the program and takes statutory fees to be paid back into County General Fund

If instructions for disposition of the decedent's remains are found, the Public Administrator shall properly deliver the instructions to the person upon whom the right to control the disposition of the decedent remains devolves.

The Public Administrator who is authorized to take possession or control of property of a decedent may issue a written certification of the fact (effective for 5 days after issuance) to a financial institution to provide the Public Administrator information concerning property held in the sole name of the decedent, such as, granting access to a safe deposit box for purpose of inspection and removal of will or instructions for disposition of decedent's remains, and for surrender to the Public Administrator property of the decedent that is subject to loss, or misappropriation.



Difficulties: Banking institutions require review of PA authority by their Legal. Legal is not accessible to PG directly. It usually takes 5-7 working days to hear back from Legal.

PA sometimes can not find decedent's safe deposit box key timely or at all.

WHAT IS VALUE OF DECEDENT'S ESTATE THE PUBLIC ADMINISTRATOR HANDLES?

If the total value of the property in the decedent's estate does not exceed **\$55,425** the Public Administrator can receive authority to handle the estate without Court Authorization.

If the total value of the property in the decedent's **estate does not exceed \$166,250** The Public Administrator can receive authority to handle the estate by an order of the court. The order is made ex-parte application with no formal hearing.

If the total value of the property in the decedent's **estate exceeds \$166,250** the Public Administrator can petition the Superior Court for Letters of Administration with or without a Will.

How does this play out in the County of Inyo?

Most PA cases are small value estates and are \$0 to \$5,000

I have not had a property between \$55,425 & \$166,250. Seniors may be house rich and cash poor- what about Reverse Mortgages, etc?

Decedent's owning Tangible & Real Property exceeding \$166,250 will be Formal Probate.

WHAT ARE THE POWERS THE PUBLIC ADMINISTRATOR RECEIVES AS THE ADMINISTRATOR OF THE ESTATE?

Withdraw money of the decedent on deposit with any financial institution

Collect any debts of the decedent

Sell personal property of the decedent. Sales may be made with or without notice, as the Public Administrator elects. Title to the property passes without need for confirmation by the Court

- Jewelry – gold – silver – collectable coins
- Guns- all kinds!

Sell real property of the decedent, and title to the property sold passes with the Public Administrator's deed

WHAT DUTIES ARE REQUIRED OF THE PUBLIC ADMINISTRATOR ONCE APPOINTED?

Judiciously manage the estate's assets, with no speculative investments

Keep separate ledger for each estate the Public Administrator handles and set up an interest bearing account

Any sales, leases, mortgages and investments of estate property the Public Administrator must first receive and order from Superior Court

Determine the value of the property belonging to the estate – Probate Referee

A notice of administration to each creditor of the decedent must be mailed within four months after appointment. If the decedent receives Medi-Cal you must notice the State Director of Health Services within 90 days after appointment

Complete and accurate records of each financial transaction affecting the estate must be documented. An account of all money and property received, spent, date of each transaction and balance of funds will be accounted to the Court in status accounts or final accountings

Search for heirs – via Accurant, personal papers, friends, social media or Heir Search company

Inventory, pack and move all personal property of the decedent to a storage facility

Conduct Estate sales or on-line sales as is appropriate

Prepare and file all Court Petitions, Orders and Accountings as required



HOW IS PUBLIC ADMINISTRATOR AND COUNTY COUNSEL PAID FOR THEIR SERVICES?

Depending on the value of the estate, the Public Administrator is entitled to a minimum compensation of \$1,000

Great news! The Governor signed SB 928 increasing the minimum PA fee from \$1,000 to \$3,000. The bill takes effect on January 1, 2023

FORMAL PROBATES – **By Probate Code- Equal fee to PA & County Counsel**

4% of the first \$100,000

3% of the next \$100,000

2% of the next \$800,000

1% of the next \$900,000

1/2 of 1% on the next \$15,000,000

For all amounts above \$25,000,000

a reasonable amount to be determined by the court

Formal Probates are driven by California Probate Code §§7000-13660

Public Administrators – California Probate Code §§7600-7666

FUNDING

FAST FACTS

California Counties are spending approx. \$258 million to provide PA|PG|PC services

PA/PG/PC programs have **63%** higher caseloads than comparative services

PA/PG/PC programs are the only major California social service programs that do not receive dedicated State funding

County Public Administrator, Public Guardian, and Public Conservator (PA/PG/PC) services are stretched to the limit and currently receive no state or federal funding to augment growing caseloads and approximately \$258 million in county general fund spending on critical PA/PG/PC services.

CAPAPGPC ASK

PROPOSED SOLUTION: \$200 Million ONGOING STATE

AUGMENTATION OF COUNTY SPENDING

Provide ongoing state funding to augment, not supplant, county spending to assist PA/PG/PC services statewide and help manage current caseloads of identified core populations for a total of \$458 million annually.

This is especially good news for PA's! First time to be included with PG's & PC's

INYO COUNTY PUBLIC ADMINISTRATOR

5 ONGOING FORMAL PROBATE CASES Here is the condensed story of one

THE STORY OF GRAHAM COOPER

Graham Cooper was born in March 31, 1944 to Herbert John Cooper and Violet Cooper in the Biggleswade, Great Britain. Cooper moved to the US, but his family remained in the UK.

He had no siblings. He never married. He had no children.

When he died, he was living in Big Pine California. He owned his own home that he shared with his beloved dog Toby. He had lived an orderly lifestyle and kept a neat and orderly home. The only sign of family in his home was a prominent framed picture of his Mum, however there were several framed pictures of Toby. His recreation was Scuba Diving, piloting small aircraft, Jeeping and Camping with Toby. His few friends were those participating in the same activities, but he mostly kept to himself. He had been diagnosed with cancer and knew he should put his affairs in order, but like some people believe, he did not want to tempt the gods by acknowledging he might not beat the odds so he did not show up to his attorney's office to execute a Will.

Graham John Cooper died at Renown Regional Center
Cooper died intestate on November 22, 2017 and Toby went to County Animal Shelter.

Coroner did a cursory search and could not find extended family. No friends were found immediately.

Coroner contacted Public Administrator. I did a more extended search and found a few friends that had intermittent contact but did not feel close enough to Cooper to become Executor of his Estate and did not live in the area. After speaking with the few acquaintances, it became apparent, that there were no *known* living relatives, his father and beloved mum had predeceased him, his dog Toby was the most important thing in his life, he owned his own home, was a lifelong bachelor, never had a significant other as far as anyone knew and was known for being very private.

Very long story very short...Public Administrator took the estate.

PA immediately received wallet and keys to Coopers home from Coroner. PA entered home and searched for important papers and documents, specifically a Will or other written document to make immediate decisions regarding Coopers wishes regarding disposition of his person and disposition of his estate.

Did not find Will or Health Directive but did find Birth and death records of Mother and father and after speaking with friends as to what Cooper's wishes would have been and discovering disposition of Mum and Dad determined that Cooper would have wanted to be cremated. I did find an address book with a number for a probable relative in the UK. Also, one of many messages on the answering machine was the same relative, Collen Miller inquiring about Coopers health that was several months old. I called the relative to find she was a first cousin and was able to establish communication regarding any other known relatives. From email correspondence I found 6 additional relatives.

Made cremation arrangements. Kept cremains until arrangements were made to deliver to first cousin Colleen.

Called animal shelter. Networked with Coopers friends and others to adopt Toby but none felt they could. I continued to keep in touch with Animal Shelter, bringing food and toys from Toby's home, until he was adopted.

Executed Petition and supporting documents for Administration of Estate. Went to Court on date assigned by Superior Court.

Was granted Order as Executor of Estate and was issued Letters

Opened Interest bearing bank account with local bank as Executor with Estate EIN.

Paid all know debts during before and after 4 month period passed after filing Creditor's Claim Notification and noticing all known debtors.

Retained gardener and some amenities during the time of liquidation of estate.

Entered into contracted agreement for sale of Real Property with Local Realtor.

Did Inventory and Appraisal of Home and property. Probate Referee Appraised.

Marshalled bank accounts. Discovered evidence of account in the UK.

Discovered handgun and took appropriate action to sell.

Conducted Estate sale and sold contents of home.

Sold several vehicles, trailers and a camper.

Sold Real property above appraised value.

Contacted UK banking institution and delivered US Letters of Administration, working with several different offices located in different townships.

Worldwide epidemic of Covid 19 shut down London.



It was a slow and arduous process, but...

With perseverance, I petitioned and was granted Formal Probate in the UK Courts, the High Court of Justice England and Wales, Principal Registry of the Family Division, without a Solicitor.

I provided US and UK authority and completed paperwork to Coopers Banking Institution to have assets released and consistently corresponded and called directly when I could get through to a live person to have funds electronically delivered after exchange rate to Coopers account.

Of course there was consideration of Inheritance tax in the UK which is structured differently than in California, US.

Because of the pandemic, progress moves at a glacial pace. *Eventually*, I received funds as the workforce in London began to return to their offices.

MEANWHILE... After going through all coopers personal paperwork, and having discovering Colleen, first Cousin in the UK. I made contact with the additional First Cousins that had become known to me. Although, the first pod of relatives professed they were only relatives, Public Administrator hired an International Heir Search Company. After a length of time, our office just recently received the final results of all known Heirs and their issues, if deceased, required for Intestate distribution. There are now 30 heirs to distribute to.

Public Administrator will now complete a Final Accounting and Petition for Distribution to all known Heirs. Notice and Distribution will take a little bit longer as all Heirs live abroad and International Notice and Distribution is more involved and has lengthier timelines. Once Superior Court approves Public Administrator's accounting and distribution is made, and Receipt on Distribution is received from all Heirs, Public Administrator will pay the Office of Public Administrator statutory Fees and will Pay County Counsel equal statutory fees and will provide Superior Court with Receipts of Distribution and file Ex Parte Petition For Final Discharge and Order !!!!

Approximately \$13,000 to Public Administrator – General Fund
\$13,000 to County Counsel – General Fund
Total of \$26,000

Thank you! Questions?





INYO COUNTY BOARD OF SUPERVISORS

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NATE GREENBERG
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 13, 2022

Reference ID:
2022-3315

Approval of Board of Supervisors Meeting Minutes

Clerk of the Board

ACTION REQUIRED

ITEM SUBMITTED BY

Darcy Ellis, Assistant Clerk of the Board/Public Relations Liaison

ITEM PRESENTED BY

Darcy Ellis, Assistant Clerk of the Board/Public Relations Liaison

RECOMMENDED ACTION:

Request Board approve the minutes of the regular Board of Supervisors meeting of December 6, 2022.

BACKGROUND / SUMMARY / JUSTIFICATION:

The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's webpage, www.inyocounty.us.

FISCAL IMPACT:

Funding Source	N/A	Budget Unit	
Budgeted?	N/A	Object Code	
Recurrence	N/A		
Current Fiscal Year Impact			
Future Fiscal Year Impacts			
Additional Information			

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

N/A

OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

ATTACHMENTS:

APPROVALS:

Darcy Ellis	Created/Initiated - 12/7/2022
Darcy Ellis	Final Approval - 12/7/2022