



COUNTY COUNSEL
COUNTY OF HUMBOLDT

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December 2, 2021

Via e-mail (natalynne@hcga.co)

Natalynne DeLapp, Executive Director
Humboldt County Growers Alliance
427 F Street, Suite 213
Eureka, CA 95501

Via e-mail (Nicole@hcbdc.org)

Nicole Riggs, Project Director
Humboldt Community Business Dev. Center
427 F Street, Suite 220
Eureka, CA 95501

Re: Advice issued by State of California, Fair Political Practices Commission,
File No. A-21-137 (*copy enclosed*);

Dear Ms. DeLapp and Ms. Riggs,

Enclosed is a copy of the advice the County of Humboldt (the "County") received from the Fair Political Practices Commission ("FPPC") yesterday regarding whether a conflict of interest exists prohibiting the County from entering into a cannabis marketing services contract (the "Contract") with the Humboldt County Growers Alliance ("HCGA"), the Humboldt County Community Business Development Center ("HCBDC") and/or any other entity HCGA has a shared financial interest in the Contract.

The FPPC advised that HCGA is an independent contractor of the County subject to Section 1090 of the Government Code, and consequently, the County is prohibited from contracting with HCBDC due to HCGA's prior services in developing a plan for how an organization would implement marketing efforts and HCBDC and HCGA's shared financial interest in the Contract. As a result, HCGA / HCBDC's proposal to the current request for proposal the County is evaluating is hereby disqualified and rejected, and will not be reviewed, ranked, scored or considered.

However, because the County values HCGA's expertise and the services previously provided which the FPPC's advice specified in creating the County Cannabis Marketing Assessment (i.e., the planning, preliminary discussions, compromises, drawing of plans and specifications and solicitation of bids), the County would like to discuss and structure HCGA's continued services and advice under the April 2020 marketing assessment agreement regarding

the County's development and management of the Contract. HCGA helped shape the path the County will take with the winning submission and the County sees a continuing limited role for HCGA to play advising the County in this endeavor as that agreement comes to a conclusion.

The County would like to schedule a meeting with HCGA at your earliest convenience to discuss the possibility of HCGA's continued provision services under the April 2020 marketing assessment agreement (e.g., relevant observations and considerations regarding COVID-19's impact on industry and market conditions, etc.). The County believes HCGA's expertise and continued advice in these areas would assist the County's successful undertaking and management of the Contract.

Please direct all future questions or comments about the FPPC opinion, HCGA's disqualification or HCGA's continued services as an independent contractor to the undersigned, not economic development staff.

Best regards,

A handwritten signature in black ink, appearing to read 'Cathie Childs', written in a cursive style.

Cathie Childs
Deputy County Counsel