



CNWS Campaign Contribution Restrictions – Councilmember Pledge

A. On August 21, 2021, the Concord City Council (“City Council”), at an open and public meeting, selected Concord First Partners, LLC, a Delaware limited liability company (“Developer”) to negotiate with the City of Concord (“City”) and possibly become the master developer of a potential development project to include a mix of residential, commercial, and public uses substantially consistent with the approved CRP Area Plan (“Project”).

B. On October 26, 2021, the City Council approved an Exclusive Agreement to Negotiate by and between the City and Developer (“ENA”), which prohibits Developer or Developer Restricted Individuals from making or soliciting certain campaign donations.

C. The ENA further requires Developer to ensure that the Developer Restricted Individuals not solicit its or their or Developer’s employees, contractors, or subcontractors working on the Project (“Developer Agents”) to make any such donations.

D. Under the ENA, the following individuals constitute the “Developer Restricted Individuals”: Albert D. Seeno III, Chief Executive Officer, Discovery Builders, Inc.; Jacqueline Seeno, Owner, Discovery Builders, Inc.; Richard Lewis, President, Lewis Concord Member, LLC (Lewis Group of Companies); Robert Lewis, President-Nevada Operations, Lewis Concord Member, LLC (Lewis Group of Companies); Roger Lewis, Senior Executive Vice President, Lewis Concord Member, LLC (Lewis Group of Companies); Randall Lewis, Senior Executive Vice President, Lewis Concord Member, LLC (Lewis Group of Companies); John Goodman, Chief Executive Officer / Senior Executive Vice President, Lewis Concord Member, LLC (Lewis Group of Companies); Bryan Goodman, Executive Vice President - Development, Lewis Concord Member, LLC (Lewis Group of Companies); Doug Mull, Senior Vice President-Norcal Planned Communities, Lewis Concord Member, LLC (Lewis Group of Companies); Jeb Elmore, Vice President-Acquisitions, Lewis Concord Member, LLC (Lewis Group of Companies); Phil Tagami, President and Chief Executive Officer, California Capital & Investment Group; Ross Helleheim, Partner, California Capital & Investment Group; Brad Francke, Vice President - Associate General Counsel, Lewis Concord Member, LLC (Lewis Group of Companies); Skyler Sanders, General Counsel, California Capital & Investment Group; David Young, General Counsel, Discovery Builders, Inc.

E. A dynamic list of Developer Agents will be posted on the City’s Reuse Project website: www.concordreuseproject.org.

NOW THEREFORE, in response to community inquiries regarding campaign donation parameters, and to increase public confidence in the Project development process, I, as a City of Concord Councilmember, have chosen to voluntarily sign this pledge binding myself with respect to campaign donations from Developer, any of the Developer Restricted Individuals, or any Developer Agent:

1. As of August 21, 2021, I have not knowingly accepted campaign donations from Developer, any of the Developer Restricted Individuals, or any Developer Agent.
2. I hereby voluntarily pledge not to knowingly accept campaign donations from Developer, any of the Developer Restricted Individuals, or any Developer Agent until the later of: (a) expiration of the ENA, or (b) adoption of a disposition and development agreement (“DDA”) together with expiration of any referendum period and conclusion of DDA-related litigation.
3. If I did or do unknowingly accept campaign donations from Developer, any of the Developer Restricted Individuals, or any Developer Agent, I pledge to return such donations in full, in a timely manner after learning thereof.
4. A list of my campaign donors may be accessed on my campaign finance forms here.

Date:

11/4/21

Signature:

Edi Birsaa

Print Name:

Edi Birsaa