

# State rules Foust has a conflict



FOUST

## Can no longer vote on salt ponds

BY RYAN THOMAS RIDDLE  
Daily Post Staff Writer

Redwood City Council Member Rosanne Foust violated state law by voting on the controversial salt ponds project, and if she does it again she could be fined up to \$5,000, the Fair Political Practices Commission said yesterday.

The commission found that Foust, in her role as council member, acted improperly when she voted on the ambitious development project that would build up to 12,000 homes on the salt ponds east of 101. That's because Foust is also the president and CEO of [See FOUST, page 47]

San Mateo County Economic Development Association, or SAMCEDA, which endorsed the project.

The developers of the salt ponds project — DMB Associates and Cargill — are dues-paying members of SAMCEDA, according to the commission.

"I haven't talked with my lawyer yet about this letter," Foust told the Post. She added that once she talks to her lawyer she may be able to answer questions about the FPPC letter. "It's in the hands of our city attorney and I'm going to refer you to him," said Foust.

### City attorney cleared Foust

Foust consulted Redwood City Interim City Attorney Roy Abrams before she voted to hire environmental consultants for the project at the May 24 council meeting. Abrams advised Foust that there wasn't a conflict.

The commission's letter stated SAMCEDA could see a financial gain because Foust's vote helped move the project further along. Doing so might encourage other developers to join SAMCEDA as dues-paying members if they see that endorsed projects have a greater chance of moving forward, said the letter.

The commission said Foust has a vested interest in SAMCEDA's financial success since she derives a salary from her role as president.

### Was ruling political?

"We saw no financial effect at all on SAMCEDA," said Abrams. He said the commission's findings are inconsistent with previous cases because they are based on speculation and not fact.

"As a lawyer, I can't read this (letter) and help but think politics were at play here," said Abrams. But when asked to elaborate, Abrams refused.

The investigation was sparked after Andy Cohen, council member in nearby Menlo Park, filed a complaint last month with the commission.

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"I feel good," said Cohen. "And I feel more than good."

Cohen took heat from Jim Hartnett, Foust's husband and a former Redwood City mayor, for filing the complaint. "Hartnett's made it personal," said Cohen.

### Cohen sees it as a lesson

Cohen told the Post that the commission's findings should serve as a lesson to those who would turn politics into a personal vendetta.

The commission has closed the case because Foust consulted with Abrams. "The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct," warns the letter.

"(If the commission is) not doing anything because the city attorney made a mistake ... (then) fine if that's what they are saying, I'll take responsibility," Abrams said.

But Foust won't be consulting with Abrams any longer. Pamela Thompson will assume the city attorney duties on Aug. 4. "That's something the new city attorney will be able to advise her on," said Abrams about any future conflicts-of-interest.

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# Labor backs Saltworks

**BY RYAN THOMAS RIDDLE**  
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Labor organizations, including the powerful San Mateo County Central Labor Council, have thrown their support toward an environmental review of the controversial construction project that would build up to 12,000 homes on the salt ponds east of Highway 101.

Labor groups and environmentalists typically find themselves on the same sides of political issues, but DMB Associates announced yesterday that 12 labor organizations support the review process.

The State Building and Construction Trades Council of California and the San Mateo Building Trades Council have also shown support.

## Support disputed

The Oakland-based environmental group Save The Bay has strongly opposed going forward with the environmental review process for the project, because it says nothing should be built, period.

## Local groups support environmental review

Save The Bay Executive Director David Lewis told the Post that DMB is trying to make it sound like the labor groups support the project, when they only support the review.

DMB said supporting the review indicates support of the plans.

"What we are trying to suggest is that they are in favor of the project," said DMB spokesman Jay Reed. "They passed resolutions to study the environmental review process."

## Jobs cited

The developers have been working for the past few weeks to gather their support. Reed said DMB asked the San Mateo County Building Trades Council "to show some support of the plan."

The council passed a resolution four weeks ago supporting the environmental review, then helped gather support, said Reed.

"They understand the impor-

tance of creating new jobs," said Reed.

Bill Nack, business manager of the council, didn't return the Post's call for comment.

Reed cited a report done by Berkeley-based Economic and Planning Systems Inc. at the behest of DMB that says the project will generate 29,440 temporary construction jobs over 30 years.

San Mateo County Central Labor Council spokeswoman Shelley Kessler said the council supports the environmental review process but that there are those in the building councils that support the project.

DMB also sent an informational packet last week to 18,000 businesses. John Koval, of Menlo Park-based KR Surface Industries, got one.

Koval said his business is a specialized commercial and heavy construction company that wouldn't benefit from the project.

"It's unlikely that it would affect my business in a positive way," said Koval.