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The Environmental Justice Coalition for Water
Water Justice for All



Social Eco Education



SURFRIDER
FOUNDATION.
LOS ANGELES

July 11, 2023

Sean Hassett, Esq.
Los Angeles County District Attorney's Office
210 West Temple Street
Los Angeles, CA 90012

Re: Conflict of Interest at West Basin Municipal Water District

Dear Mr. Hassett,

We hope this letter finds you well. On behalf of Sierra Club California the Southern California Watershed Alliance, SoCal 350 Climate Action, Desal Response Group, Southern California Watershed Alliance, We Tap, Social Eco Education, The Environmental Justice Coalition for Water, and Los Angeles Waterkeeper, our membership and supporters of these organizations number in the hundreds of thousands statewide and many reside in the Metropolitan Water District's (MWD) service area. We all are deeply concerned about a conflict of interest which Gloria Gray has created by seeking and accepting seats on both the Inglewood City Council and West Basin Water District's board of directors. We request that your office investigate.

West Basin Legal Counsel at the [April 24 Board meeting](#) stated that it is clear from legal precedent that Director Gray is holding two incompatible offices. California Government Code section 1099 is directly on point. It reads in part:

"(a) A public officer, including, but not limited to, an appointed or elected member of a governmental board, commission, committee, or other body, shall not simultaneously hold two public offices that are incompatible. Offices are incompatible when any of the following circumstances are present, unless simultaneous holding of the particular offices is compelled or expressly authorized by law:

"(2) Based on the powers and jurisdiction of the offices, there is a possibility of a significant clash of duties or loyalties between the offices.

"(3) Public policy considerations make it improper for one person to hold both offices."

Ms. Gray refuses to surrender her position of Director of Division II on the West Basin MWD Board. She contends that, by electing her to offices in Inglewood and West Basin, the voters decided she should hold both. She maintains that only the voters should decide whether she can keep the two seats.

Her justification evaporates in the face of Section 1099's plain language that it applies to public officers whether "appointed or elected." If her interpretation of the statute is correct -- that only the voters can decide whether she has created a conflict -- it's hard to imagine why the California Legislature went to the trouble to enact it. Perhaps Ms. Gray could describe how her interpretation would give the statute any meaning when applied to elected officials.

The organizations signing this letter are concerned about not only the appearance but the actual effect of Ms. Gray's two positions. As a member of West Basin's board of directors, she participates in its budget decisions, a process which began earlier this month. However, as an Inglewood council person, she is entrusted to review and approve the terms under which that city buys water from West Basin for resale to its residents. In other words, she will be a key figure on both sides of an important transaction. The conflict could not be clearer. Albert Robles and Sergio Calderon were removed from office, and David Argudo is currently under investigation for similar activities. The public is entitled to representation free of such conflicts. We ask that you take appropriate action.

I look forward to receiving updates about your inquiry into this matter. Please do not hesitate to contact me if you feel the Sierra Club or any of the undersigned organizations can help in that task.

Thank you.

Sincerely,

Caty Wagner
Southern California Water Senior Organizer,
Sierra Club California

Charming Evelyn
Water Committee Chair,
Sierra Club Angeles Chapter

Conner Everts
Director(s), Southern California Watershed Alliance,
The Environmental Justice Coalition for Water
& Desal Response Group

Jack Eidt

Co-Founder, SoCal 350 Climate Action

Bruce Reznik
Executive Director, Los Angeles Waterkeeper

Martha Camacho Rodriguez
Director, SEE (Social Eco Education)

Evelyn Wendel
Executive Director, WeTap.org

Newara Brosnan-Faltas
Los Angeles Chapter Manager, Surfrider Los Angeles

CC: Attorney General Rob Bonta, the CA Fair Political Practices Commission, and Ethics,
Elections, & Governance Section Supervising Attorney, Renee Stadel for City Attorney Hydee
Feldstein Soto