

REPORT ON INFORMATION COLLECTED CONCERNING APPLICANT

Under section 60835 of title 2 of the California Code of Regulations, the Bureau of State Audits is responsible for collecting information concerning applicants for the Citizens Redistricting Commission that is needed by the Applicant Review Panel to perform its responsibilities. This is a report by Bureau staff in compliance with that responsibility.

Name of Applicant: Lilbert "Gil" R Ontai_____.

Information Regarding Applicant's Service on the San Diego Planning Commission: In his second essay answer on his supplemental application regarding ability his ability to be impartial, and in his fourth essay answer on his application regarding his relevant analytical skills, Applicant discussed his current service as a member of the Planning Commission of the City of San Diego. Bureau staff spoke with Applicant about the position, and Applicant advised that he was appointed to the position by the Mayor and confirmed by the City Council. It is an unpaid position, and his current term expires in January 2011. Due to term limits, he cannot seek another term._____.

California Constitution, article XXI, section 2, subdivision (c)(6) provides that a member of the Citizens Redistricting Commission shall be ineligible, for a period of five years beginning from the date of appointment, to hold appointive local public office. California Code of Regulations, title 2, section 60804.1, subdivision (b) provides that "appointive local public office includes a public office at the city level that is filled by a person or persons holding elective public office at the city level, is filled by a person who serves a fixed term or serves at the pleasure of the appointing authority, and entitles the officeholder to make governmental decisions. As a member of the San Diego Planning Commission, Applicant serves in a public office established within city government that is filled by persons holding elective public office at the city level, he serves in the position for a fixed term, and he has authority to make governmental decisions by voting as a member of the Planning Commission. As such, if Applicant is appointed to serve as a member of the Citizens Redistricting Commission, he will be required to resign from his position on the Planning Commission under California Constitution, article XXI, section 2, subdivision (c)(6)._____.

Other Information: Research by staff discovered that Applicant is the President of the Board of Directors of the Pacific American Education and Scholastic Foundation (PAESF). According to its Facebook page, PAESF "brings awareness and understanding of the shared core values that bridge the disparity between the values of society and cultural roots through celebrating Pacific Islander values, multiculturalism, healthy families, and education. PAESF encompasses many programs, including the Pacific American Academy Charter School. The mission of the charter school is "to maintain a quality education program, which encompasses the pride in, and understanding of, diverse cultures."_____.

Staff contacted William Anderson, the author of one of Applicant's letters of recommendation, to confirm the information provided in the letter and receive any additional information that may be relevant. Mr. Anderson confirmed the information in the letter, in which he discussed Applicant's service as a Planning Commissioner and noted that "land use issues can be controversial." Staff asked Mr. Anderson how Applicant handles such controversial matters, and he answered that Applicant "applies the Socratic Method and asks a lot of questions" to get people to arrive at answers that will bring about a resolution. Mr. Anderson added that since the Planning Commission is quasi-judicial, Applicant stays within the parameters of the planning codes and puts his personal opinions aside. Mr. Anderson stated the Applicant shows respect for everyone, from his fellow planning commissioners to the staff and public.

Recommendation: None.

Name and Title of Person Submitting Report: Steven Benito Russo, Chief of Investigations

Report Date: September 19, 2010