

My name is William Kiel, and I am a candidate for the San Miguel Consolidated Fire Protection District Board of Directors. I am a Civil Engineering student, and work part time in my own business and as an employee in retail.

We were in court today, August 31st, due to the fact that plaintiff, Teresa McKenna, a Director of SMCFPD (San Miguel Consolidated Fire Protection District) and a current candidate for that office objected to my candidate statement for the same office. I am providing you a summary of the Courts decision on this “waste of time” suit. My summary of the Courts actions are stated in the order of her request to the court:

Summary

- A) The plaintiff requested the Court to order me to list my age. That information is optional and I chose not to include it. **Court Denied Plaintiff Request.**
- B) Plaintiff requested the Court to order me to state my name as William A. Kiel Jr. I am not a junior and filled out the form correctly. **Court order me to state my name as William A. Kiel II, acceptable.**
- C) The Plaintiff requested the Court to order me to list a disclaimer in my statement that states, “Candidate William A. Kiel is not the same William A. Kiel currently serving on the San Miguel Consolidated Fire Protection District Board of Directors but rather his son”. **Court Denied Plaintiff Request.**
- D) Plaintiff requested the Court to order me to delete the sentence “I have the experience, education, desire and ability to reverse this trend of automatic tax increases coupled with reckless and wasteful spending.” Because she objects to the word automatic. For all practical purposes these increases are automatic, they often appear on the consent agenda and are not even discussed. I would be willing to change the word automatic to “Rubber Stamp”. **Court Denied Plaintiff Request.**
- E) The Plaintiff requested the Court to order me to delete the sentence “Together we can once again put the San Miguel Consolidated Fire Protection District on sound financial footing. The Plaintiff’s objection is that this statement implies that the district is not on sound financial footing. I would be willing to replace the words “once again put” with “keep”. **Court Denied Plaintiff Request.**

F) The Plaintiff requested the Court order me to amend the paragraph “The prior Board invested over \$700,000.00 on a new permanent fire station that would have cost another \$1,300,000.00 to complete. Instead of moving forward with that project, on a 4-3 vote, the current Board abandoned the project. Instead, they decided to a rent a temporary facility (costing over \$650,000 to construct plus rent of \$30,000/yr.) with the intension of purchasing a new \$3,000,000 to \$5,000,000 facility. As a fiscal conservative I would never waste your money in such a reckless manner.” To “A prior Board invested over \$700,000.00 on a new permanent fire station that would have cost another \$1,300,000.00 to complete. Instead of moving forward with that project, on a 4-3 vote, the project was abandoned. Instead, a temporary facility was rented (costing over \$650,000 to construct plus rent of \$30,000/yr.) with the intention of purchasing a new \$3,000,000 to \$5,000,000 facility. As a fiscal conservative I would never waste your money.” **Court ordered me to use the revised paragraph, minor revisions to original statement, and no real change in the meaning of my statement.**

G)The plaintiff requested the Court to order me to change “Businessman” to “Sales Associate”. The work I do meets that definition. Additionally, I have my own business buying and selling trading cards (on-line and in person) for profit. **Court ordered me to use the word “entrepreneur” which is more than acceptable.**

H)I would have liked to inform the court that the petitioners’ (Theresa McKenna’s) Candidate statement is false and misleading, as well as, Jim Ek’s Candidate Statement (Exhibit 1). Ms. McKenna claimed in her Statement that SMCFPD had a positive cash income over expenditures of **\$5.6 million** in fiscal year 2017 - 2018. Mr. Ek also claimed a positive cash income of **\$5.3 million** for that same time period. In fact, the district had a positive cash income over expenditures of only **\$3.1 million** (Exhibit 2). I would have requested that this material distortion of the financial condition to be deleted by order of the Court but I didn’t believe it was important enough to sue my opponents over.

Lastly I would like to share my personal thoughts on this case; my incumbent opponents seem to have the attitude they're entitled to their seats on the board. They were very angry when I filed my application to run and spoke to and texted my father about how expensive this election would be to the District blaming me for the expense (see Exhibit 3). This lawsuit is indicative of Ms. McKenna's sense of entitlement to the position and her unwillingness to have a real discussion on the Board's spending habits while on her watch.

Secondly this experience has been financially devastating for me, I went into the race with the intention of giving back to the community and doing some good for the Fire District. I will have to work well over 400 hours just to pay my attorney's bill. I believe that my opponent intentionally sued me just to hurt me financially, which she succeeded in doing. So as my first experience into politics it certainly was very different from what I expected. That being said this experience only strengthens my resolve to win this race.

Exhibit 1

San Diego County
Registrar of Voters

2018 JUL 30 AM 10:50

Candidate Statement of Qualifications
(Read instructions carefully)

REC'D S.D. CO. ROV

Jurisdiction Name: (ALL CAPS)	SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT	
Office Title: (Upper & Lower)	Board of Directors	
Candidate Name: (ALL CAPS)	THERESA MCKENNA	
Age: (Optional)	55	Gender: M or <input checked="" type="radio"/> F (optional)
Occupation:	Incumbent / Retired Fire Captain	
Election Date	November 6, 2018	
<small>The occupation to appear on the candidate's statement is not restricted by the California Elections Code. It does not have to match the occupation on the ballot, can be more descriptive and can have more than three words.</small>		

Use "Block Paragraphs, Single Space" format. Type within the box using a fixed pitch font such as Courier. Word count starts here:

SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT

Board of Directors

THERESA MCKENNA
Incumbent/Retired Fire Captain

Age: 55

It's not every day I get to write to every resident in our Fire District, so I take this opportunity to Thank You for the opportunity to serve your District these past four years.

We've accomplished much, including the completion of a meticulous financial study that proved returning your District to a stand-alone agency was the responsible thing to do. That long-term forecast projected hiring our own Firefighters, rather than outsourcing, would put the District on the path to long-term financial stability.

I am beyond proud to report our first year back to employing our own highly skilled, well-trained firefighters ended with roughly \$5.6 million in Revenue over Expenditures! (per FY2017/18 Budget Comparison as of 7/11/18.) Solar energy is now being utilized to reduce electricity costs. Station 19 – Bostonia has been relocated to provide optimal service regionally. Reserve Fund Policies have been amended with focus on long-term stability. Director benefits for mobile data, dental coverage, and more, have been eliminated to help ensure those seeking election to your Fire Board do so for the Right reasons.

I would be honored to continue serving as your Board Member and would appreciate your vote.

**San Diego County
Registrar of Voters**

Candidate Statement of Qualifications
(Read instructions carefully)

Jurisdiction Name: (ALL CAPS)	SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT	
Office Title: (Upper & Lower)	Board of Directors	REC'D S.D. CO. ROV
Candidate Name: (ALL CAPS)	JIM EK	
Age: (Optional)	58	Gender: <u>M</u> or F (optional)
Occupation:	Incumbent / Fire Engineer	
Election Date	November 6, 2018	

The occupation to appear on the candidate's statement is not restricted by the California Elections Code. It does not have to match the occupation on the ballot, can be more descriptive and can have more than three words.

Use "Block Paragraphs, Single Space" format. Type within the box using a fixed pitch font such as Courier. Word count starts here:

When I was elected to the San Miguel Fire Board four years ago, I ran on a platform of local control, fiscal responsibility, and transparency. These remain my priorities for a healthy, stable, and fiscally sound fire department. In 2016, as a board, we voted to end our cooperative agreement with an outside fire agency. Since July 2017, we have been providing outstanding fire and EMS services to our citizens as a stand-alone fire department. This change has enabled us to realize a significant 5.3 million dollars in revenue over expenditures, allowing the district to build its reserve funds. These funds are needed for apparatus replacement, facilities maintenance/replacement, and capital improvement. We have relocated a fire station to better serve the citizens regionally and have purchased two new fire engines to replace aged apparatus. I am proud of the significant accomplishments we have made in these four years.

It has been an honor to serve on the San Miguel Fire District Board and with your vote, I can continue to support outstanding fire service for its citizens.

Exhibit 2

7/1/17 THRU 6/30/18 SMC FPD

TOTAL REVENUE CASH \$23,260,988.33

TOTAL EXPENSES CASH \$17,930,697.84

DIFFERENCE \$5,330,290.49

OTHER EXPENSES CASH
FIXED EQUIPMENT \$67,466.00
CONTINGENCY \$10,972.00
UNCOMPENSATED LEAVE \$5,625.00
CAPITAL EQUIPMENT \$11,365.00
FACILITIES \$31,319.00
VEHICLE \$41,226.00

\$1,567,973.00 THEY FORGET ABOUT THE \$'S SPENT FROM OTHER ACCOUNTS

NET CASH FLOW FROM OPERATIONS \$3,762,317.49

EXPENDITURE ON CREDIT FOR ONE ENGINE (APPRO) \$41,226.00 THEY ALSO SPENT ON CREDIT

NET INCOME LESS CASH EXPENDITURES \$8,021,091.49 AMOUNT OF INCREASE IN ASSETS
NOT \$5,330,290.49

Much of the increase came from the increase in property value and the INCREASED TAXES THEY VOTED FOR

Exhibit 3

11:01 PM

71%

M

Mike Vacio

i

Fri, Aug 10, 1:38 PM

I can not believe you just did what you just did. That is one of the stupidest moves I seen so far. Wow.

Why do you feel he isn't entitled to run?

You didn't do it for any other reason then to make the district hold an election because the three of us were running again.

That is 60,000 that you just cost the district.

You know Mike, both you and Theresa both brought up the \$60,000. If you really feel so strongly about it either of you can withdraw, today is the deadline. I don't understand how you feel you're entitled to the seat and someone else isn't. If you want to talk about this feel free to give me a call.

Read 8/10/18

I never said he wasn't entitled to run but we both know he is not running for the right reason.



iMessage

