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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN DIEGO–NORTH COUNTY DIVISION**  
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11 ROY B. GARRETT, and individual;  
MARY GARRETT, an individual,

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Petitioners,

vs.

CITY OF ESCONDIDO, a California  
Municipality and DOES 1-10,

Respondents,

ESCONDIDO PUBLIC LIBRARY  
BOARD OF TRUSTEES,

Real Party in Interest.

Case No. 37-2017-00045061-CU-WM-NC

**DECLARATION OF DEBRA RESLER  
IN SUPPORT OF PETITIONERS'  
MOTION FOR TEMPORARY  
RESTRAINING ORDER AND FOR  
PRELIMINARY INJUNCTION TO  
STAY PRIVATIZATION OF THE  
ESCONDIDO PUBLIC LIBRARY**

TRO HEARING TIME: 1/8/2018  
TRO HEARING TIME: 8:30 a.m.

PRELIMINARY INJUNCTION:  
DATE:  
TIME:  
DEPT: N-28  
Hon. Earl H. Maas, III

I, Debra Resler, declare as follows:

1. I am over age 18 and I have been actively involved with the City of Escondido Public Library issue that is the subject of this action.
2. I have personal knowledge of the matters stated herein and if called upon by the court would so testify.
3. I was completely shocked and incredibly disappointed when the Escondido City Council voted to proceed with a contract to have Library Systems & Services LLC (LS&S), a

1 private, for-profit Maryland venture capital firm, to manage our public library.

2 4. I attended and participated in Library Board of Trustee meetings and several Escondido  
3 City Council meetings. I could not believe the Council had listened to the same  
4 testimonies that I had witnessed and still decided to make this unfortunate decision  
5 thereby ignoring the will of citizens and the Library Board of Trustees who is charged  
6 with the duties of management of our Public Library.

7 5. During those meetings, hundreds of Escondido residents spoke eloquently and  
8 passionately against privatization and, in particular, the contract with LS&S. They, like  
9 I, believe that a public library should be managed by the local government through its  
10 Board of Trustees and NOT by a for-profit entity. Many of the speakers had data  
11 showing that LS&S was not maintaining a reasonable quality of library staff or resources  
12 in the branches that it managed.

13 6. One of the biggest concerns I have with this City Council decision is the ridiculously  
14 insufficient process that was used to make this decision. A 10-year, multi-million dollar  
15 contract was awarded during a process where goals, metrics, and performance measures  
16 were essentially undefined.

17 7. Moreover, in what is not even allowed to happen in a number of other public institutions,  
18 no other competitive bids or proposals were considered. A 10-year, multi-million dollar  
19 contract was awarded without the consideration of any other proposals. In fact, the  
20 Council ignored a request to submit a budget proposal that was made by the former  
21 Escondido Library Director. The Council also ignored the Library Board of Trustees,  
22 who voted unanimously to oppose this outsourcing, and the more than 4,000 Escondido  
23 residents who signed a petition against privatization of our library.

24 8. Finally, even though the Council was informed of a possible legal conflict regarding the  
25 LS&S contract, they still voted to move ahead, rather than take some time to research and  
26 investigate. This kind of decision-making does not show common sense, nor does it  
27 serve the City of Escondido or its residents.

28 9. Decisions of this magnitude need to be made in an open, public and inclusive way,

1 evaluating all reasonable alternatives. That is the reason why the California Education  
2 Code requires a Library Board of Trustees manage the Public Library and not a political  
3 organization like the City Council.  
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5 I declare under penalty of perjury under the laws of the State of California that the  
6 foregoing is true and correct.

7  
8 Dated: 12-30-17

Debra Resler  
Debra Resler