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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 BRENDA
TOWNSEND 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, Brenda Townsend, declare as follows:

1. I am a resident of the City of Escondido and over the age of 18. I was an active participant in the citizens' effort to protect our public library from the political whims of the City of Escondido City Council.
2. I have personal knowledge of the matters stated herein and if called upon, I would so testify.
3. As a resident of Escondido for the last 30 years, I am distraught beyond belief with the

1 City Council's recent decision to privatize our beloved public library. City employees
2 and volunteers have run this wonderful organization for 123 years, and now power has
3 been transferred to an out-of-state entity with questionable credentials. Against the
4 advice of the ALA, retired City Librarians, thousands of Escondido citizens and library
5 users of all ages, and its own Library Board of Trustees, Mayor Sam Abed, and the
6 Escondido City Council majority have absolved themselves of any responsibility of the
7 day-to-day running of the library.

8 4. The whole plan to privatize was not even supposed to have been made widely known,
9 and had it not been for Escondido Councilperson, Olga Diaz, who came across the
10 information buried in some random financials, no one would have had any knowledge of
11 this process.

12 5. The entire quest for "transparency" was a sham from the beginning. The City Council
13 put the onus on the Library Board of Trustees to hold meetings all summer, but when
14 push came to shove in the October 18, 2017, vote, the Library Board of Trustees'
15 decision was ignored and all pretense was cast aside.

16 6. Perspective of the current action by the City Council is given by some history: A
17 city-ordered Grand Jury Report was misinterpreted to cast our wonderful library and its
18 staff in a bad light. That report accurately found that the current library holdings and
19 building are insufficient to serve a city of 152,000 people. In 2007, the City Council
20 ordered the closure of the East Valley Branch Library, with little fanfare, notice, or input
21 from citizens. This action happened despite library advocacy groups raising the amount
22 of necessary funds that were required to save the EVBL from the closure, and that money
23 was offered to the city as a gift. The City Council ignored the financial gift and the plans
24 went forward with the closure, with the building being leased, instead, to a charter
25 school. This recent decision smacks of the same deception that we experienced at the
26 hands of City Council majority 10 years ago.


27 7. Officials were asked to slow down the process in April, when this information first came
28 to light. Citizens respectfully worked with the Library Board of Trustees, who are

1 charged with the management of the Public Library, and asked for more time to explore
2 other money-saving options, such as joining the San Diego County library system, or
3 other options. These requests were not only rejected by the unlawful action of the City
4 Council on October 18, 2017, who ignored the Library Board of Trustees and over 4000
5 citizens who signed a petition, but City Council vote was shoved through without any
6 other proposals or bids.

7 8. Now we have an foreign private company that we don't want set to take over our lone,
8 remaining library on January 15th. What is the rush to make a hasty decision about
9 something so important that will affect thousands of lives over the course of many years?
10 We respectfully request a Motion for Injunction to stay the implementation of the private
11 service contract with LS&S so that a full hearing may be heard on the merits.

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13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct.

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16 Dated: 12/29/2017

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Brenda Townsend