

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF KERN
SUMMONS — REVERSE VALIDATION PROCEEDING
(Code Civ. Proc., §§ 860 et seq., 861, 861.1; Gov. Code, § 53759)

Case No. 26CUB02363
Dept.: Div. H
Judge: Hon. Bernard C. Barmann, Jr.

COUNTY OF KERN, Plaintiff, v. CITY OF BAKERSFIELD, ALL PERSONS INTERESTED IN THE MATTER CONCERNING THE CITY OF BAKERSFIELD'S ADOPTION OF A RESOLUTION ADOPTING SEWER USER RATES FOR FISCAL YEARS 2026-27 THROUGH 2030-31, and DOES 1–100, inclusive, Defendants.

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN THE TIME STATED BELOW. READ THE INFORMATION BELOW.

TO ALL PERSONS INTERESTED IN THE MATTER OF THE VALIDITY OF RESOLUTION NO. 064-2026 ADOPTED BY THE CITY OF BAKERSFIELD ON MAY 27, 2026, ADOPTING SEWER USER RATES FOR FISCAL YEARS 2026-27 THROUGH 2030-31, AND TO DEFENDANT CITY OF BAKERSFIELD:

DETAILED SUMMARY (Code Civ. Proc., § 861.1). Plaintiff County of Kern has filed a reverse validation action in the above-entitled court challenging Resolution No. 064-2026, adopted by the City of Bakersfield City Council on May 27, 2026, effective July 1, 2026. The Resolution increases annual sewer user rates from \$247/year to \$475/year in FY 2026-27, escalating \$100/year to \$875/year by FY 2030-31, for single-family residences, with similar increases for multiple dwelling, commercial, and industrial customers. The County challenges the Resolution as invalid on the following grounds:

1. The City improperly included costs for its separate stormwater collection system in the sewer user rates, causing: (a) revenues to exceed funds required for sewer service; (b) revenues to fund stormwater operations rather than sewer service; and (c) charges that exceed the proportional cost of sewer service attributable to each parcel, in violation of California Constitution article XIII D, section 6(b)(1), (2), and (3). The stormwater component also constitutes an unlawful tax not submitted to voter approval as required by article XIII D, section 6(c).
2. On information and belief, the rate structure does not produce charges proportional to the cost of sewer service attributable to each parcel irrespective of the stormwater inclusion, in violation of article XIII D, section 6(b)(3).

This action affects all property owners in the City's service area, including County Service Area No. 71 (CSA 71) ratepayers and all residential, commercial, and industrial customers. The County also asserts a breach of contract claim, seeks a refund of unlawfully collected fees, a writ

of mandate directing the City of Bakersfield to set aside Resolution No. 064-2026, declaratory relief, and injunctive relief.

YOUR RIGHT TO CONTEST. You may contest the legality or validity of the matter described above by filing a written answer to the complaint with the Superior Court of California, County of Kern, 1215 Truxtun Avenue, Bakersfield, CA 93301, no later than the response deadline of **August 10, 2026**. (Code Civ. Proc., § 861.1.) You are not required to appear. Please provide a courtesy copy of the answer to plaintiff's attorneys: Claire H. Collins, Hanson Bridgett LLP, 2440 Tulare Street, Suite 200, Fresno, California 93721, (559) 220-3730, and Kendra L. Graham, Kern County Counsel, 1115 Truxtun Avenue, 4th Floor, Bakersfield, CA 93301, (661) 868-3800.

NO PUNITIVE ACTION. Persons who contest the legality or validity of this matter will not be subject to punitive action, such as wage garnishment or seizure of their real or personal property, solely by reason of appearing and contesting this matter. (Code Civ. Proc., § 861.1.)

ATTORNEY ADVICE: YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER CONNECTED WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY SHOULD BE CONSULTED PROMPTLY SO THAT YOUR ANSWER MAY BE FILED WITHIN THE TIME REQUIRED BY THIS SUMMONS.

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