



July 1, 2026

The Honorable Phillip Peters
Chair, Kern County Board of Supervisors
1115 Truxtun Avenue, 5th Floor
Bakersfield, California 93301

RE: KernTax Support for County of Kern v. City of Bakersfield — Proposition 218 Litigation Over the City's Sewer Rate Increase

Dear Chairman Peters and Members of the Board:

On behalf of the Kern County Taxpayers Association (KernTax), I am writing to express our support for the County's decision to pursue legal action against the City of Bakersfield over its recently adopted sewer rate increase, and to encourage the Board to continue pressing this case on behalf of Kern County ratepayers.

KernTax has closely followed the City's wastewater rate proceedings since they began, including the City Council's rejection of phased-bonding alternatives that would have addressed the same infrastructure needs at the Planz Road treatment plant without imposing a 254 percent increase in the base residential rate over five years. We recognize that the City's wastewater system has real, long-deferred capital needs, and we do not dispute that some rate adjustment is warranted. But the manner in which the City arrived at this particular increase, including the inclusion of stormwater management costs within a sewer charge that is constitutionally exempt from voter approval only because it is a sewer charge, raises exactly the kind of accountability question KernTax exists to scrutinize.

California voters adopted Proposition 218 to prevent local agencies from funding general governmental costs through utility charges that escape the initiative, referendum, and majority-protest protections the Constitution otherwise guarantees. If stormwater management, which benefits the public at large rather than any individual parcel in proportion to its sewer use, can be folded into a sewer bill without the notice and protest rights ratepayers would otherwise have, that precedent will not be confined to Bakersfield. Every City and special district in Kern County will take note of what one court permits here. KernTax believes the County's position, that the rate must be proportional to the actual cost of service and that stormwater costs cannot simply be relabeled as sewer costs to avoid Proposition 218's procedural checks, reflects

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the correct reading of the Constitution and is the better outcome for the roughly 165,000 residents who will otherwise see their sewer bills rise from \$247 to \$875 a year with no meaningful opportunity to object.

We also acknowledge the County's constructive approach leading up to this litigation. The bonding scenarios your office presented to the City Council, spreading the same capital costs over a longer horizon rather than requiring ratepayers to absorb them in a compressed five-year window, represented a fiscally sound alternative the City had available but declined to adopt. Litigation should always be a last resort, and the record shows the County pursued collaboration first.

KernTax stands ready to support the County's efforts in any way that would be useful, whether that means public statements to Kern County taxpayers explaining the stakes of this case, testimony or written comment if the matter comes before any public body, or coordination with our organization's ongoing fiscal analysis of the City's and the County's long-term budget positions. Please treat this letter as our organization's public statement of support for the County's position in this litigation. Do not hesitate to have your staff contact me directly if there is a more specific way KernTax's involvement would be helpful as this case proceeds.

Thank you for your leadership on this issue and for standing up for Kern County ratepayers.

Sincerely,

Michael Turnipseed

Michael Turnipseed
Executive Director
Kern County Taxpayers Association

