

CITY OF HERMOSA BEACH
RESOLUTION NO. RES-26-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH A PER-VENDOR DAILY FEE FOR SPECIAL EVENT-ASSOCIATED VENDORS ON THE BEACH AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Hermosa Beach ("City") is authorized to regulate special events and establish fees for such events by resolution pursuant to the California Constitution (Section 7 to Article XI, and Section 1 to Article XIII); and

WHEREAS, the City regulates special events conducted on public property (including the beach) pursuant to Chapter 12.30 (Special Events on Public Property) to Title 12 (Street, Sidewalks and Public Places) of the Hermosa Beach Municipal Code ("HBMC"); and

WHEREAS, the City regulates the sale of services, commodities, wares, products, merchandise, food, and beverages on public property (including the beach) pursuant to Section 12.20.300 (Solicitation) of Chapter 12.20 (Beach and Strand Regulations) to Title 12 of the HBMC; and

WHEREAS, the City Council ("Council") approved amendments to HBMC Section 12.20.300 on April __, 2026, to allow for the sale of prepared food, nonalcoholic beverages, and/or merchandise on the beach by vendors associated with an approved special event; and

WHEREAS, vendors participating in special events on the beach require staff time and resources for application review, coordination, permit processing, and on-site compliance monitoring; and

WHEREAS, the proposed per-vendor daily fee is intended to recover and does not exceed the City's reasonable administrative and oversight costs associated with special event vendors (including by not limited to staff time for application intake and review,

permit processing, interdepartmental coordination, compliance monitoring, enforcement, and related administrative overhead), and provide a fair and regionally consistent fee structure; and

WHEREAS, there is a reasonable relationship between the amount of the per-vendor daily fee and the burdens imposed on the City by special event vendor activities, and that the amount of the fee has been calculated based upon the City's estimated reasonable costs of providing the specific governmental services directly attributable to such vendors; and

WHEREAS, the per-vendor daily fee constitutes a charge imposed for a specific government service provided directly to the payor that is not provided to those not charged and does not exceed the reasonable costs to the City of providing such service, and therefore the fee is not a tax pursuant to the California Constitution (Section 1(e)(2) to Article XIII C); and

WHEREAS, a discounted rate for City-based businesses holding a valid City business license promotes local economic participation, and recognizes such businesses' ongoing contribution to the City's revenues and regulatory programs through payment of business license taxes and compliance with local regulations; and

WHEREAS, revenues generated by the per-vendor daily fee shall not exceed the reasonable costs incurred by the City in administering and regulating special event vendor activities on the beach; and

WHEREAS, the Council desires to amend the City's Master Fee Schedule to adopt special event per-vendor daily fees for City businesses and outside businesses participating in approved special events on the beach, consistent with proposed amendments to HBMC Section 12.20.300.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The above recitals are true and correct, and are incorporated herein by this reference.

SECTION 2. Amendment. The City’s Master Fee Schedule as set forth in Exhibit A (attached hereto and incorporated herein by reference) is hereby amended to add the following to read as follows:

a. “A special event per-vendor daily fee at the rate of \$115 for vendors (including sponsors engaged in sales activity) authorized to sell prepared food, nonalcoholic beverages, and/or merchandise on the beach pursuant to an approved special event permit issued under HBMC Chapter 12.30 (Special Events on Public Property).”

b. “A special event per-vendor daily fee for Hermosa Beach-based businesses holding a valid City business license of \$86.25 for vendors (including sponsors engaged in sales activity) authorized to sell prepared food, nonalcoholic beverages, and/or merchandise on the beach pursuant to an approved special event permit issued under HBMC Chapter 12.30 (Special Events on Public Property).”

SECTION 3. California Environmental Quality Act (“CEQA”). The City Council finds that this Resolution is statutorily exempt from CEQA pursuant to Section 15378(b)(5) of the CEQA Guidelines as it is an organization or administrative activity of the City that will not result in direct or indirect physical changes in the environment.

SECTION 4. Severability. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications; and, to this end, the provisions of this Resolution are severable.

SECTION 5. Certification. The City Clerk is directed to certify the passage and adoption of this Resolution; cause it to be entered into the City’s book of original Resolutions; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the Resolution’s passage and adoption, cause it to be published or posted in accordance with California law.

SECTION 6. Effective Date. This Resolution will become effective immediately upon adoption.

PASSED, APPROVED, and ADOPTED on this 14th day of April 2026.

Mayor Michael Detoy
PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:

APPROVED AS TO FORM:

Martha Alvarez
City Clerk

Jason Baltimore
Interim City Attorney