



LAKE COUNTY SHERIFF'S OFFICE

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Brian L. Martin
Sheriff/Coroner

April 5, 2017

Clear Lake Motorsports Enterprises
Jack Long, President
2707 Buckingham Drive
Kelseyville, CA 95451

Dear Mr. Long,

I am writing as a follow-up to our telephone conversation on March 31, 2017. This letter is meant to address issues that we discussed concerning your organization's plans as they relate to an upcoming boat racing event which is proposed to be held on the waters of Clear Lake.

It is my understanding from a February 14th, 2017 article in Lake County News, that you received approval from the City of Lakeport for the use of city property and staffing along the shoreline of Clear Lake to be used in conjunction with your event. The County of Lake, not the City of Lakeport, is the government body that has jurisdiction and requires permitting under the Lake County Code for boat and ski races. Additionally, per the County Code, the Sheriff is the permitting authority for such events.

As of March 21st, 2017, I had not seen an application for this event come to my office. I reached out to you to start that process as there are several timelines that need to be followed to comply with the various ordinances and regulations.

As of today, I have not yet received your application for permit, however I have received several documents that would be required as part of the permitting process. With your approval, I will treat the information you have provided as your verbal application for permit. I am prepared to make a decision without receiving an actual application so that you may start the appeal process.

As I indicated to you I am going to deny your permit application. I anticipate and encourage you to appeal this decision to the County Board of Supervisors. Your appeal may be taken by filing with the Clerk of the Board of Supervisors an "Intention to Appeal" my decision within ten (10) days from the time that I render my decision, issue the permit or deny the issuance of said permit. Accounting for 5 days of mail service time, the deadline for filing your appeal will be April 20, 2017.

As we discussed, my decision to deny your permit is based on the appropriateness of the local governing body making a decision to permit an event which has such high potential for liability claims. The ordinance identifying the Lake County Sheriff as the permitting authority was written in 1966. Certainly, there have been changes in the technology of motorboats, as well as areas of liability and litigation that have occurred in the last 51 years. The liability that comes along with this sort of event is much different than when the ordinance was originally enacted. It is my belief that the decision to permit such an event would most appropriately come from the Board of Supervisors, and not the Sheriff.

I do support this event. I believe that it will bring a much-needed, and welcomed economic boost to our community. However, as a for-profit venture, it is my responsibility to ensure that tax-payer dollars are not used to subsidize it, and to ensure that the County's liability interests are maintained.

I am also writing to let you know that I will make several recommendations to the Board of Supervisors to have as conditions for your permit. These recommendations will include, but not be limited to:

- Funding for additional Sheriff's Office Marine Patrol services (2 deputies)
- Funding for additional ground patrol services (1 deputy)
- An increase in dispatching services (1 public safety dispatcher)
- Security and access to the course will be the event organizer's responsibility. LCSO personnel will not be responsible for restricting access to the course. They will respond to criminal violations and provide law enforcement services
- Insurance in an amount deemed appropriate by the Board of Supervisors naming the County of Lake as an additional insured

I hope this letter finds it your way in enough time that you can prepare a presentation to the Board of Supervisors to adequately address any concerns that may exist.

Sincerely,



Brian L. Martin
Sheriff-Coroner
County of Lake

cc: Carol Huchingson, County Administrative Officer
Anita Grant, County Counsel
Jeff Smith, Chairman, LC Board of Supervisors