

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**PUBLIC COMMENT:**

**4-0**

During the oral communication section of the agenda for Tuesday, October 21, 2014, Peter Tynberg spoke regarding Parcel Map 36108 not moving forward through the Planning Process.

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**ATTACHMENTS FILED WITH  
CLERK OF THE BOARD**

**AGENDA NO.  
4-0**

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
to Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** PETER TYNBERG

**Address:** 70711 TAMARISK LANE  
(only if follow-up mail response requested)

**City:** RAWCHIO MIRAGE **Zip:** 92270

**Phone #:** 760 770 8851 *oral COMM.*

**Date:** 10/21/2014 **Agenda #** N/A

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

**Support**       **Oppose**       **Neutral**

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

**Support**       **Oppose**       **Neutral**

**I give my 3 minutes to:** PM 36108

*20 acre industrial Subdivision in  
Thousand Palms*

## REMARKS TO SUPERVISORS

Supervisors:

I am hear today to deliver a letter I sent to you on October, 4th, both through your office and through the Clerk of the Board. I do not believe the letter has reached you.

It concerns information as to why I am not proceeding with PM36108, a twenty-acre industrial subdivision in Thousand Palms. The cost of off-site improvements required by the County and CVWD have made my project financially unfeasible. My letter describes the unlevel playing field developers face due to the inequitable distribution of off-site costs by local agencies. It also reports that the criteria for requiring such improvements was not applied to previous projects, when the cost would have been much less (1/4 mile rather than 3/4 of a mile of secondary access roads).

My letter also relates how due to inaccurate expiration dates on the RCTLMA computer, I was advised to purchase a lien in the summer of 2011 (when my project had been extended 24 months to 2015 by AB 200), and was again advised to purchase an extension for the project this past summer (when my project was again extended for 24 months by AB 160). To get the RCTLMA computer corrected, I had to consult the legislative committee in Sacramento (who assured me both extensions applied to my project). The incorrect advice I received resulted in charges of \$2245 to my account. I was advised by Mr. Bob Lyman to apply for an account adjustment on August 21st. My inquiries into this matter have not been answered. This appears to be a case of breach of care and duty where the facts speak for themselves: "res ipsa loquitur."

Thank you  
Peter Tynberg

Submitted by Peter Tynberg  
10/29/14 (date) Item OSAD Comm

Peter Tynberg, M.D.  
70-711 Tamarisk Lane  
Rancho Mirage, Ca. 92270

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Fax. 760-770-8851  
ptynberg@tynberg.com

October 4, 2014

To the Board of Supervisors: Mr. Marion Ashley, Mr. John Benoit, Mr. Kevin Jeffries, Mr. Jeff Stone, and Mr. John Tavaglione:

I wish to bring to your attention two matters pertaining to PM 36108, a tentative map for a 20-acre subdivision on Rio del Sol in Thousand Palms approved in April 2010.

1) **EXCESSIVE EXPENSE FOR OFF-SITE ROADS:** A condition of approval for this project was secondary access for the Fire Department which increased our off-site road requirement from 1/4 mile to 3/4 miles. I was told that the criteria for such secondary access was 1/4 mile (primary access being Varner Road). Please note that our project is located over 1 mile north on Varner Road. When extensions of the Thousand Palms Business Park were previously approved, secondary access via North Shore Street, or Petland Place- Del Norte Way, was not required and could have been obtained at substantially lower cost. Later approval was given for Watt Court (to the south of our project) without provision for secondary access. (see attached map) Because of the financial burden of this road, our project is not financially feasible.

2) **UNNECESSARY LIEN EXPENSE:** I also wish to bring to your attention County fees which have been charged to me for unnecessary services, due to incorrect advice from County employees. This advice was based on incorrect expiration dates in the County computer for PM 36108 in the summer of 2012, and again this last summer. AB 200 Fuentes, passed in 2011, and AB 160, passed in 2013, provided for two 24-month extensions for all tract maps in California. However, the correct information regarding these extensions was not properly placed in the computer.


Early in the summer of 2012, I informed the Transportation Department that due to economic conditions I was delaying the start of our project. I was told that my tentative map would expire in April 2013, and that I had to record my final map prior to that date. It was suggested that I contact the Bonds and Agreements Department. When I explained to that department the time constraints I had been given by Transportation Department, I was provided with an option of bonding or a lien as security for my project. I elected the lien option and made a \$12,000

a lien as security for my project. I elected the lien option and made a \$12,000 deposit that summer. Charges of \$2245.76 were made by the Bonds and Agreements Section and the County Counsels Office for the lien. I was later informed in September 2012 by Mr. Larry Ross of the Planning Department that in 2011 my map had been extended until April 2015. The lien and the \$2245.76 expense were, therefore, completely unnecessary. I canceled the lien.

A similar situation occurred this summer when I was informed that my map would expire in April 2015 (by the same Transportation Department personnel, who again suggested I contact Bonds and Agreements). This time I phoned the Planning Department, and was told by Mr. Ken Baez that he believed that my map was extended to 2017. I then emailed the Director for clarification. He mailed to me that the correct date of expiration was April 2015 (see attached emails) and suggested I purchase an extension from the County. At this point I contacted the Legislative Committee in Sacramento who had written AB 200 Fuentes and AB 160. I was told that both bills provided a 24 month extension to ALL tentative tract maps. I next emailed the Director and asked why AB 160 had not applied to PM 36108. Only, then was the date on the County computer for my project corrected to April 2017. (see attached emails and charges)

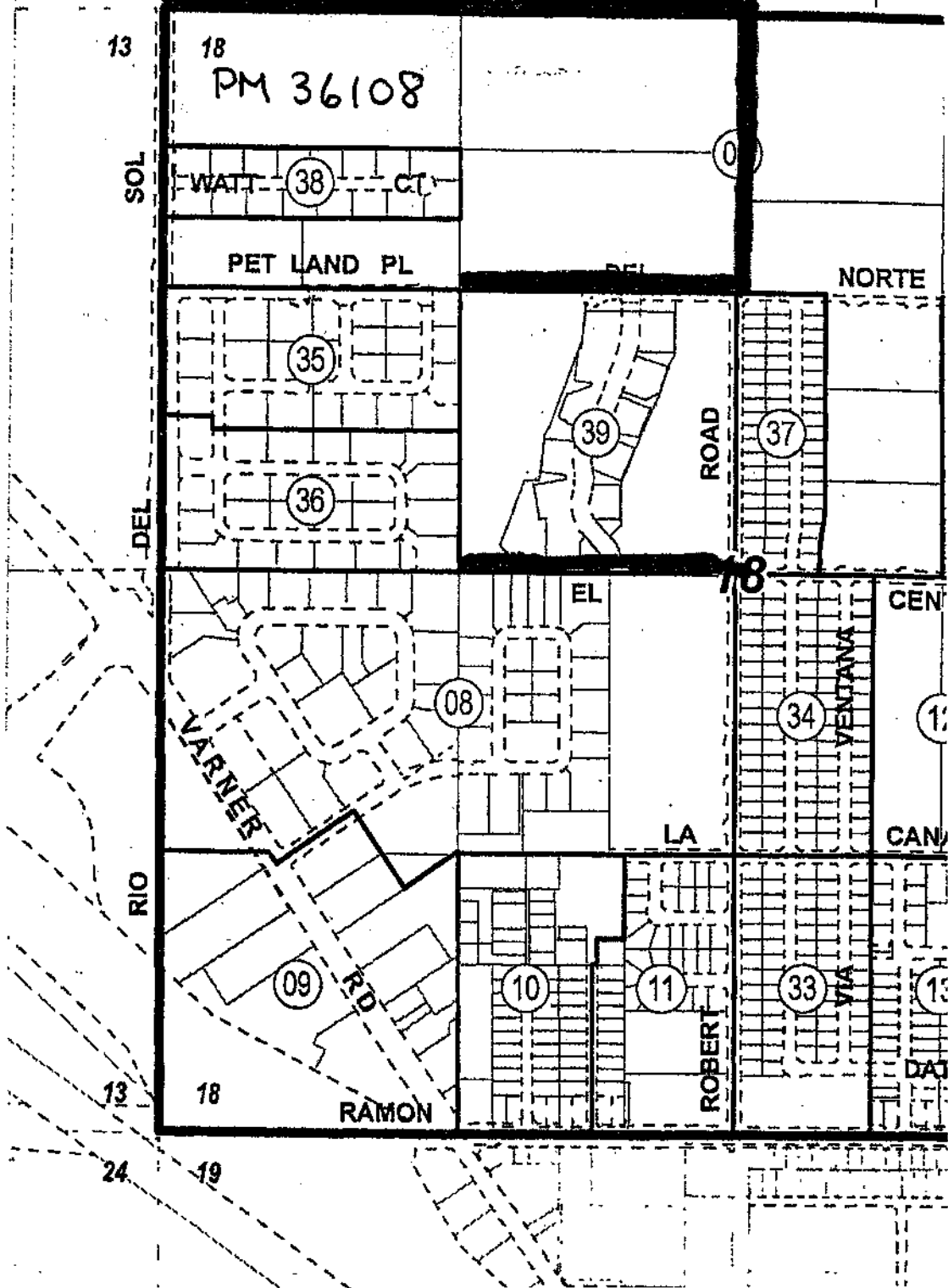
Subsequently I met with Mr. Bob Lyman who suggested my filing for a REVIEW of the ACCOUNT CHARGES for these unnecessary charges. I applied for such a review for the \$2245.76 of unnecessary charges related to the lien on August 21, 2014, over 6 weeks ago. My inquiries as to the disposition of this matter are unanswered. This is a case of breach of care and duty, where "res ipsa loquitur" applies ("the facts speak for themselves").

Respectfully,

  
Peter Tynberg, M.D.

12 07 SEP 29 2011

13 18 PM 36108



**—** = 2° ACCESS REQUIREMENTS FOR PM 36108

**- - -** = 2° PREVIOUS POSSIBILITIES FOR 2° ACCESS

COUNTY OF RIVERSIDE

Department of Transportation

19-AUG-2014 02:36 00

Itemized Statement of Activity

DATE      ACTIVITY ID      DESCRIPTION      HRS/RCPTS      CHARGES      DEPOSITS

**Labor Charges:**

Case/Project/Permit No.: IP100054

**County Counsel**

LATED  
TO  
JEN

24-MAY-2012	CCPAR	County Counsel DBF Review PAR	1.80	- 134.96	
18-JUN-2012	CCPAR	County Counsel DBF Review PAR	0.50	- 37.49	
13-AUG-2012	CCPAR	County Counsel DBF Review PAR	0.75	- 56.24	
14-AUG-2012	CCPAR	County Counsel DBF Review PAR	0.50	- 37.49	
11-SEP-2012	CCPAR	County Counsel DBF Review PAR	2.20	- 164.96	
12-SEP-2012	CCREV	County Counsel DBF Review	1.50	- 214.77	
12-SEP-2012	CCPAR	County Counsel DBF Review PAR	0.50	- 37.49	
17-SEP-2012	CCPAR	County Counsel DBF Review PAR	0.40	- 29.99	
24-SEP-2012	CCPAR	County Counsel DBF Review PAR	0.30	- 22.49	
25-SEP-2012	CCPAR	County Counsel DBF Review PAR	0.50	- 37.49	
01-OCT-2012	CCPAR	County Counsel DBF Review PAR	0.30	- 22.49	

Subtotal Labor:      9.25      - 795.86

**Transportation**

13-OCT-2010	ZS413	Case Intake/Research	0.50	- 90.00	
25-OCT-2010	ZP110	Final Plan Checking	2.00	- 256.00	
26-OCT-2010	ZP110	Final Plan Checking	2.00	- 256.00	
27-OCT-2010	ZP110	Final Plan Checking	2.00	- 256.00	
28-OCT-2010	ZP110	Final Plan Checking	2.00	- 256.00	
✓ 01-NOV-2010	ZS303	Final Plan Checking	2.00	- 256.00	
✓ 05-JAN-2011	ZS400	Plan Modifications	0.50	- 90.00	
10-JAN-2011	ZS436	Bonds/Agreements-New	1.00	- 180.00	
24-JAN-2011	ZC404	Quality Control by Sr. Staff	0.50	- 90.00	
25-JAN-2011	ZS201	Land Dev Clerical	0.50	- 27.00	
04-APR-2011	ZS201	Right of Way Other	0.50	- 90.00	
24-MAY-2011	ZC404	Right of Way Other	0.50	- 90.00	
✓ 04-APR-2012	ZS412	Land Dev Clerical	0.20	- 10.80	
✓ 05-APR-2012	ZT400	Conditions of Approval-Enginee	1.00	- 186.00	
05-APR-2012	ZS455	Bonds/Agreements-New	2.00	- 202.00	
23-APR-2012	ZP110	Drainage Report	1.00	- 186.00	
24-APR-2012	ZP110	Final Plan Checking	1.00	- 122.00	
25-APR-2012	ZP110	Final Plan Checking	1.00	- 122.00	
26-APR-2012	ZP110	Final Plan Checking	1.00	- 122.00	
30-APR-2012	ZP110	Final Plan Checking	1.00	- 122.00	
01-MAY-2012	ZP110	Final Plan Checking	1.00	- 122.00	
02-MAY-2012	ZP110	Final Plan Checking	1.00	- 122.00	
03-MAY-2012	ZT400	Final Plan Checking	1.00	- 122.00	
03-MAY-2012	ZP110	Bonds/Agreements-New	1.50	- 151.50	
07-MAY-2012	ZP110	Final Plan Checking	1.00	- 122.00	
08-MAY-2012	ZS450	Final Plan Checking	1.00	- 122.00	
08-MAY-2012	ZC404	Street Plans	0.50	- 93.00	
08-MAY-2012	ZP110	Land Dev Clerical	0.50	- 26.00	
09-MAY-2012	ZP110	Final Plan Checking	1.00	- 122.00	
05-JUN-2012	ZS325	Final Plan Checking	1.00	- 122.00	
06-JUN-2012	ZS325	Natl Pollutant Discharge Elim	1.00	- 186.00	
✓ 07-JUN-2012	ZT400	Natl Pollutant Discharge Elim	1.00	- 186.00	
✓ 20-AUG-2012	ZS400	Bonds/Agreements-New	1.00	- 101.00	
✓ 22-AUG-2012	ZT403	Bonds/Agreements-New	1.00	- 186.00	
✓ 27-AUG-2012	ZT400	Bond Releases	2.00	- 202.00	
28-AUG-2012	ZC404	Bonds/Agreements-New	1.00	- 101.00	
03-OCT-2012	ZS412	Land Dev Clerical	0.50	- 26.00	
04-OCT-2012	ZS455	Conditions of Approval-Enginee	1.00	- 186.00	
09-OCT-2012	ZS455	Drainage Report	0.50	- 93.00	
10-OCT-2012	ZS455	Drainage Report	1.00	- 186.00	
11-OCT-2012	ZS455	Drainage Report	1.00	- 186.00	
23-JAN-2013	ZS204	Drainage Report	1.00	- 186.00	
22-OCT-2013	ZS413	Utility Coordination/Notify	1.00	- 175.00	
✓ 29-MAY-2014	ZT400	Case Intake/Research	1.00	- 175.00	
✓ 29-MAY-2014	ZS400	Bonds/Agreements-New	1.50	- 151.50	
24-JUN-2014	ZS414	Bonds/Agreements-New	1.00	- 175.00	
		Communication with Applicant	1.00	- 175.00	

LAUDA  
POSTER

*Alan French*

County Counsel Charges : \$ 695.76  
 Bonds/Agreements Charges : \$ 1550.00  
 Total: \$ 2245.76

**From:** Peter Tynberg [<mailto:ptynberg@tynberg.com>]

**Sent:** Thursday, August 21, 2014 11:12 AM

**To:** Perez, Juan; [khernan@rctlma.org](mailto:khernan@rctlma.org)

**Subject:** Date of Expiration of our TTM 36108

Mr. Perez:

It was suggested by your able assistant Karlene Hernandez that I email you. You may remember we met in 2010 in your office. My PM36108 had been approved as a tentative tract map on June 16, 2010, and at that time had three years to run.

We met because a member of the Transportation Department wished me to change the design of our map to have our twenty acre industrial project have cul-de-sacs for a street plans instead of the more open grid design which had been approved for our tentative map. When you were told these were private streets and would be maintained by our owner's association, you told me to proceed as we had planned.

As you know because of economic conditions, the State of California extended the life of that tract map. However I have gotten conflicting information concerning when that tract map will expire (April of 2015 or April of 2017). We have elected to begin to place the improvements this October and hope to be finished by next April. We then will have the Final Map approved by the Board of Supervisors and recorded. We have chosen this course to avoid the expense of bonding for the improvements.

If our improvements are 90% completed next April, do we have to be concerned that the tract map could expire in April before the Final Map is recorded?

Please advise. Thank you,

Peter Tynberg



Perez emails:

On Aug 22, 2014, at 8:18 AM, Perez, Juan <JCPEREZ@rctlma.org> wrote:  
Given these dates applying for an extension would seem prudent. You could have your final map ready to go for recordation so that you can record it as soon as the improvements are complete, but that may be tight since you only have about a month of "give" in the schedule if your improvements are delayed. I would encourage you to have your surveyor start the final map check process with our survey office so that it's completed through any plan checks and ready to go. Please have your surveyor coordinate through Rick Lantis, our County Surveyor, and contact Ken Baez, our Planner, regarding the time extension application. Bob Lyman heads up our Desert office and can assist your team with the overall project coordination as well.  
Thank you Dr. Tynberg.

**From:** Peter Tynberg [mailto:ptynberg@tynberg.com]  
**Sent:** Thursday, August 21, 2014 8:04 PM  
**To:** Perez, Juan  
**Cc:** mike platt; Alex Tynberg  
**Subject:** Fwd: Date of Expiration of our TTM 36108

Mr. Perez:

Thank you for your prompt response to my email. My project superintendent believes that our improvements may be completed as early as February 2015. Therefore, please have the person who replies to me advise me that if an extension is necessary, when we should apply for it if our map expires on April 7, 2015. Thanks,  
Peter Tynberg

Begin forwarded message:

**From:** "Perez, Juan" <JCPEREZ@rctlma.org>  
**Subject:** RE: Date of Expiration of our TTM 36108  
**Date:** August 21, 2014 at 4:59:59 PM PDT  
**To:** 'Peter Tynberg' <ptynberg@tynberg.com>, "khernan@rctlma.org" <khernan@rctlma.org>  
**Cc:** "Baez, Ken" <KBAEZ@rctlma.org>, "Lantis, Richard" <RLantis@rctlma.org>, "Lyman, Bob" <BLYMAN@rctlma.org>, "Romo, Patricia" <PROMO@rctlma.org>

Good afternoon Dr. Tynberg, yes I do remember meeting you. I'm glad to hear that you are moving along with your project. Let me ask our Planning and Survey staff to check on this and advise you as to whether or not you should file an extension, which may be the prudent thing for you to do.

Thanks.