

1                                   **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

2  
3                                   **RESOLUTION NO. 2009 \_\_\_\_\_**

4  
5           **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA**  
6 **WATER MANAGEMENT DISTRICT TO AUTHORIZE DISTRICT STAFF TO FILE SUIT**  
7 **AND TAKE ALL APPROPRIATE ACTION, INCLUDING THE AUTHORITY TO SETTLE**  
8 **THE MATTER, SUBJECT TO THE APPROVAL OF THE EXECUTIVE DIRECTOR,**  
9 **AGAINST DRY LAKE DEVELOPMENTS, INC., LATHA VENKATESH, SALVADOR**  
10 **BORTONE, HOPE ANDERSON, CLEMENT LUE, RUDOLPH DIXON, BRUCE**  
11 **GOLDSTEIN, DIAMOND TOUCH, LLC., GARY PLUNGE, ALICIA HAL, LEE ROUGH,**  
12 **ADEEL MUHTAR, ARIF WAJID, JAWAD BAIG, PAMELA GOLDSTEIN, VYACHESLAV**  
13 **GINZBUR, YEVGENY GINZBUR, SIRANUSH KHACHATRYAN, PAUL BREYTMAN,**  
14 **RAM VENKATESH, LUSIK APKARIA, AVEDIS APKARIAN, SUREN TUMASYAN,**  
15 **KARAPET PARONYAN, RKS & SKS PROPERTIES, LLC., DANIEL SANOVEI,**  
16 **MARGARET LUE, THE OKEECHOBEE GROUP, LLC., CHARLES & SUSAN RUCKS,**  
17 **AND DRY LAKE DAIRY IN THE 19<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR OKEECHOBEE**  
18 **COUNTY REGARDING THE VIOLATIONS OF CHAPTER 373, FLORIDA STATUTES**  
19 **AND CHAPTER 40E, FLORIDA ADMINISTRATIVE CODE, AND AGAINST ANY OTHER**  
20 **APPROPRIATE OR NECESSARY PARTIES IN THE APPROPRIATE COURT;**  
21 **PROVIDING AN EFFECTIVE DATE.**

22           **WHEREAS**, Sections 373.044, 373.083(2) and 373.129, Florida Statutes, authorize  
23 the South Florida Water Management District to enforce the provisions of Chapter 373,  
24 Florida Statutes, rules, regulations and orders thereunder,

25           **WHEREAS**, Dry Lake Developments, Inc., Latha Venkatesh, Salvador Bortone,  
26 Hope Anderson, Clement Lue, Rudolph Dixon, Bruce Goldstein, and Diamond Touch,  
27 LLC., were issued Environmental Resource Permit No. 47-00751-P (the "Permit") on  
28 August 9, 2007, to serve 1203.5 acres of low-density residential development with  
29 construction of the master stormwater management system and roads,

30           **WHEREAS**, Dry Lake Developments, Inc., Latha Venkatesh, Salvador Bortone,  
31 Hope Anderson, Clement Lue, Rudolph Dixon, Bruce Goldstein, and Diamond Touch,  
32 LLC., have failed to comply with numerous terms of the Permit, including, but not limited

1 to, failing to complete the offsite mitigation area and to build correctly and/or failed to  
2 complete the construction of a surface water management system, causing adverse  
3 impacts onsite and offsite,

4 **WHEREAS**, subsequent to the issuance of Permit Gary Plunge, Alicia Hal, Lee  
5 Rough, Adeel Muhtar, Arif Wajid, Jawad Baig, Pamela Goldstein, Vyacheslav Ginzbur,  
6 Yevgeny Ginzbur, Siranush Khachatryan, Paul Breytman, Ram Venkatesh, Lusik Apkaria,  
7 Avedis Apkarian, Suren Tumasyan, Karapet Paronyan, RKS & SKS Properties, LLC.,  
8 Daniel Sanovei, Margaret Lue, The Okeechobee Group, LLC., Charles & Susan Rucks  
9 and Dry Lake Dairy became owners in the residential development and are operating  
10 without a permit as they failed to obtain modification of the Permit reflecting their  
11 ownership as required by Special Condition 14 and General Condition 16 of the Permit,

12 **WHEREAS**, to date all of the foregoing violations of Chapter 373, Florida Statutes  
13 and Chapter 40E, Florida Administrative Code continue, despite demands by the South  
14 Florida Water Management District to stop,

15 **BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA**  
16 **WATER MANAGEMENT DISTRICT:**

17 **Section 1** The Governing Board of the South Florida Water Management District  
18 hereby authorizes District Staff to file suit and take all appropriate action, including the  
19 authority to settle the matter, subject to the approval of the Executive Director, against Dry  
20 Lake Developments, Inc., Latha Venkatesh, Salvador Bortone, Hope Anderson, Clement  
21 Lue, Rudolph Dixon, Bruce Goldstein, Diamond Touch, LLC., Gary Plunge, Alicia Hal, Lee  
22 Rough, Adeel Muhtar, Arif Wajid, Jawad Baig, Pamela Goldstein, Vyacheslav Ginzbur,  
23 Yevgeny Ginzbur, Siranush Khachatryan, Paul Breytman, Ram Venkatesh, Lusik Apkaria,  
24 Avedis Apkarian, Suren Tumasyan, Karapet Paronyan, RKS & SKS Properties, LLC.,  
25 Daniel Sanovei, Margaret Lue, The Okeechobee Group, LLC., Charles & Susan Rucks,  
26 and Dry Lake Dairy in the 19<sup>th</sup> Judicial Circuit in and for Okeechobee County regarding the  
27 violations of Chapter 373, Florida Statutes and Chapter 40E, Florida Administrative Code,

1 and against any other appropriate or necessary parties in the appropriate Court.

2 **Section 2** This resolution shall take effect immediately upon adoption.

3

4 **PASSED** and **ADOPTED** this \_\_\_ day of May 2009.

5

6 Approved as to form:

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

7

8 BY: \_\_\_\_\_

Office of Counsel

By: \_\_\_\_\_

Chairperson

10

11

ATTEST:

12

13

\_\_\_\_\_

14

District Clerk

15