



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 7, 2026

Originating Department: Clerk / Tom Baird

Agenda Title: Agreement - Sales at Sea Settlement (Sales & Office Barge) – Lake Park Harbor Marina

Agenda Category: New Business

Approved by Town Manager: _____ **Date:** _____

Cost of Item: \$0.00 **Funding Source:** _____

Account Number: _____ **Finance Signature:** _____

Advertised:

Date: NA **Newspaper:** _____

Attachments: Foster Jones Memo, Settlement Agreement

Please initial one:

_____ Yes I have notified everyone

_____ Not applicable in this case

Summary Explanation/Background:

In _____, the Town approved a lease agreement (“Agreement”) with Sales at Sea, LLC (“Sales at Sea”), which permitted Sales at Sea to dock a barge that “housed” a replica furnished condominium unit used to facilitate the sale of condominium units for Forest Development’s Nautilus 220 project. The barge was specific to the Nautilus 220 project.

The approved Agreement permitted Sales at Sea to dock its barge at the Town’s marina in exchange for monthly rental payments for the slips it occupied.

Additionally, the Town authorized Sales at Sea (Forest Development) to alter the marina to accommodate the large barge. By September of 2025, Sales at Sea (Forest) had represented to the Town that 90% of the condominium units had been sold. At the time the Agreement was approved, the Town was apparently unaware that the area where the barge was parked, was located within a deed restricted area.

Once FDEP learned of the barge's location, it advised the Town that the barge must be removed.

Following notice by the Town that the barge would need to be removed, Sales at Sea (Forest) sought to relocate the barge within portions of the Town's marina that were not regulated by the State's deed restrictions. However, the only possible/feasible location would have resulted in the barge encroaching on a navigation channel. As a result, the barge was removed on or near October 1, 2025.

Although the barge was removed on October 1, 2025, Sales at Sea failed to honor its obligations under the Agreement as they were required to restore the marina and replace any removed docks with floating docks. Despite being asked by the Town on several occasions, Sales at Sea did not make the requisite restoration improvements in accordance with the approved Agreement.

Thus, the Town Commission, through the Town Attorney's office, sought to enforce the Agreement.

When it became apparent that the Town may need to bring a legal action to enforce the Sales at Sea Agreement, Mr. Peter Baytarian, Manager of both Forest Development and Sales at Sea, appeared before the Town Commission and spoke under the public comment portion of the agenda where he requested that the Town agree to participate in pre-suit mediation to resolve the dispute.

Initially, the Town Commission rejected this approach and authorized the Town Attorney to file suit. However, later, the Town Attorney suggested that pre-suit mediation may be potentially less costly and may allow the area to be restored sooner and without the cost of litigation.

After two (2) in-person mediation sessions, the parties came to an agreement, where the Town Attorney, the Marina Director and the Town Manager agreed to recommend to Town Commission for approval.

The proposed settlement agreement, which has also been approved by Sales at Sea, is requested to be considered by the Town Commission for approval.

Should the Town Commission vote to approve the Settlement Agreement, the motion should direct and authorize the mayor to execute it on behalf of the Town.

Recommended Motion:

I move approved the proposed Settlement Agreement with Sales at Sea regarding various issues within the Lake Park Harbor Marina; and to authorize the Mayor to execute the Settlement Agreement.