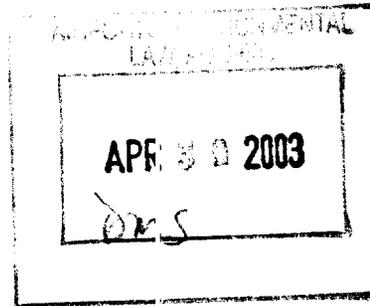


246074



UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.

FLORIDA AERIAL ADVERTISING,

Petitioner,

Part 16 Docket No: 16-03-01

v.

FAA-03-15041-5

ST. PETERSBURG-CLEARWATER
INTERNATIONAL AIRPORT,

Respondent.

AMENDED PART 16 COMPLIANT

Petitioner, FLORIDA AERIAL ADVERTISING, by and through their undersigned counsel, files this Part 16 Complaint against the ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT, and states the following:

1. **Name and Address of Parties Involved:**

1. Florida Aerial Advertising, Complainant
C/o Law Offices of Moulis & Associates
1100 Lee Wagener Blvd.
Suite 338
Ft. Lauderdale, FL 33315
Tel: 954.359.3172
Fax: 954.359.3213
2. David M. Metz, Executive Director
St. Petersburg-Clearwater International Airport
14700 Terminal Blvd.
Suite 221
Clearwater, FL. 33762
Tel: 727.453.7080
Fax: 727.453.7847
3. Tampa Flight Standard Office
5601 Mariner Street
Balboni Bldg.
Suite 310
Tampa, FL 33609

DEPT. OF TRANSPORTATION
DOCKETS
03 JUN 16 PM 12:55

2. Concise Statement of Facts:

The Complainant has been in the aerial advertising business since 1986. On or about December 2000, the Complainant met with Mr. Steve Nash, an Airport Representative to discuss the possibility of leasing airport facilities to operate his aerial advertising business. Prior to their meeting, the Complainant had been approved to operate his banner towing business at the airport. The Complainant had made every good faith effort in negotiating the lease with the airport.

During the course of negotiations, the Pinellas County Commission voted not to allow any aerial advertising on the airport premises for allegedly safety reasons, i.e. aviation traffic to and from the St. Petersburg-Clearwater International Airport. The vote took place March 13, 2001. The St. Petersburg-Clearwater International Airport cites as its justification a report issued by the FAA through the Orlando Airports and with assistance from the Tampa FSDO on or about May 17, 2001.

3. Reasonable and Good Faith Effort:

Complainant's certifies that a reasonable and good faith effort has been made in an attempt to resolve this matter. Complainant also certifies that he will continue to make a reasonable and good faith effort in an attempt to resolve this matter with the Airport. The Complainant has written letters to the Airport authorities, Pinellas County Commission, and to the FAA Office in Orlando requesting their assistance.

4. Basis of Violation

Complainant believes that he has been discriminated against by the Airport, which is a violation of 49 USC §47107, which states that the airport provides general written assurances that it is not conducting any discriminatory behavior. The Complainant believes that the airport did not have any intention to negotiate the lease with the Complainant.

Although the Airport alleges the issue of heavy traffic, the Complainant seriously disputes those allegations and has supporting documents questioning the allegations of heavy air traffic.

The Complainant is suffering monetary damages. Each day that the Complainant is not able to fly banners is resulting in further loss of business. If the Complainant is not able to fly banners, the Complainant would be completely out of business in a very short amount of time.

5. **Exhibit List**

- C-1: Airport Traffic Record.
- C-2: Letter to Complainant from FAA dated November 26, 2002.
- C-3: Letter to Complainant from Airport dated September 29, 2002.
- C-4: Letter to Airport from Complainant dated September 3, 2002.

Dated: April 25, 2003

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Part 16 complaint has been mailed to the following on April 25, 2003:

Office of the Chief Counsel
FAA Part 16
Airport Proceeding Docket
AGC 610
Federal Aviation Administration
800 Independence Avenue; SW
Washington, D.C. 20591

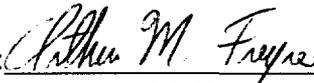
David M. Metz, Executive Director
St. Petersburg-Clearwater International Airport
14700 Terminal Blvd.
Suite 221
Clearwater, FL. 33762
Tel: 727.453.7080
Fax: 727.453.7847

Tampa Flight Standard Office
5601 Mariner Street
Balboni Bldg.
Suite 310
Tampa, FL 33609

Orlando Flight Standard District Office
Citadel International
Suite 500
5950 Hazeltine National Drive
Orlando, FL 32822

Respectfully submitted,

MOULIS & ASSOCIATES, P.A.
Attorneys for Respondent
1100 Lee Wagener Boulevard
Suite 338
Fort Lauderdale, Florida 33315
Telephone: (954) 359-3172
Facsimile: (954) 359-3213

By: 

Arthur M. Freyre, Esq.
Florida Bar No. 0123382

C-1

AIRPORT TRAFFIC RECORD 2002

Mail ORIGINAL of this form to Washington Office, AMS-420 Invo Regional Air Traffic Division

Facility Name: _____ Location: _____

(10-1) Facility Type ("X" one)

(11) Approach Control Towers B. Radar C. Limited Radar D. Non-Radar E. VFR Tower G. Contract Tower

(12) Facility Type Changed Yes

(1-2) Mo. (3-4) Yr. (5-8) Location Ident. Hrs. 10ths

(77-78) (79)

(Also submit FAA Form 7230-26) (Continue on Reverse)

Airport Operations Count

Month	ITINERANT				Total Inherent	LOCAL		Total Local	Total Operations	Special Ops (47-51)
	AC (17-21)	AT (22-26)	GA (27-31)	MI (32-36)		Civ (37-41)	Military (42-46)			
1	673	731	2204	884		6848	1725			
2	688	585	2149	713		7171	773			
3	753	784	8840	953		7344	1015			
4	762	620	9284	1182		7263	1780			
5	605	663	8659	1177		6970	1256			
6	584	451	2041	908		5607	1158			
7										
8										
9										
10										
11										
12										
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25										
26										
27										
28										
29										
30										
31										
Total										

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D

USERS: Approach Control Facilities (TERMINAL)

INSTRUMENT OPERATIONS					Facility Name										P I E				
Mail ORIGINAL of this form to Washington Office, AMS-200.					LOCATION					(1-2) (3-4)		(5-7)							
Use reverse for STAGE III/TCA operations										Mo. Yr.		Location Ident.							
(10-4) Facility Type ("X" one) (11) <input type="checkbox"/> A. CIPRA, RAPCON, RABCC, OR RABCO <input type="checkbox"/> B. RADAR APPROACH CONTROL TOWER <input checked="" type="checkbox"/> C. LIMITED RADAR <input type="checkbox"/> D. NON-RADAR <input type="checkbox"/> E. CERAP					APPROACH CONTROL TOWER					FACILITY TYPE CHANGED (12) <input type="checkbox"/> Yes		IF DAILY HOURS OF OPERATION HAVE CHANGED, ENTER NEW HOURS		Hrs. 10 ^{hrs} (77-79)					
FACILITY USE					From the REVERSE "Daily Totals"														
PRIMARY AIRPORT					SECONDARY AIRPORTS					OVERFLIGHTS					DAILY TOTAL (10-E) (14-1)		CRANS TOTAL		
AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL					
1	714	470	293	255	4373	0	0	89	2	91	1	2	75	0	78	(14 19)	4542	8075	
2	605	439	290	320	4273	0	0	94	0	94	0	0	77	0	77	(20 21)	4444	7461	
3	748	472	283	229	4286	0	5	107	0	112	3	0	96	1	100	(24 27)	4498	7553	
4	640	393	277	204	4011	0	0	127	0	127	6	0	68	1	75	(28 31)	4213	7960	
5	611	345	282	240	4020	2	4	113	0	119	3	3	55	0	61	(32 35)	4200	8005	
6	456	363	265	246	3715	0	0	94	0	94	4	0	50	0	54	(36 39)	3863	6927	
7	443	299	263	205	3583	0	0	111	0	111	10	6	43	1	60	(40 43)	3754	6060	
8	516	261	264	254	3673	0	3	83	0	86	9	2	43	0	54	(44 47)	3813	6950	
9	426	310	264	312	3692	0	0	217	0	217	8	8	71	1	88	(48 51)	3997	5178	
10	495	453	344	294	4682	0	0	284	0	284	9	5	76	2	92	(52 55)	5058	7250	
11	473	456	324	227	4396	0	1	125	0	126	10	0	63	8	81	(56 59)	4603	7551	
12	612	419	272	246	3999	0	0	137	0	137	9	1	90	1	101	(60 63)	4237	7106	
13					0					0					0	(64 67)	0	0	
PL	6739	4680	3425	3032	4870	2	13	1581	2	1598	72	27	807	15	921		5122	8607	
			2	3													2	6	
	(17-21)	(22-26)	(27-31)	(32-36)		(37-41)	(42-46)	(47-51)	(52-56)		(57-61)	(62-66)	(67-71)	(72-76)					

FAA FORM 7230-26 (8-78)

SIDE 1

RIS: AT 7230-151

2001

THIS SIDE NON-SPACE/AREA CLASS USE ONLY		ALL FACILITIES REPORTING STAGE III/TCA MUST COMPLETE				(1-2) Mo.	(3-4) Yr.	P I I E (5-9) LOCATION IDENT		ADP CONTROL 10-5 STAGE III/TCA NEW CLASS B THIS MONTH (14) <input type="checkbox"/> YES							
INSTRUCTIONS																	
This form is designed to enable the users to arrive at the GRAND TOTAL by folding the form to position the two DAILY TOTALS conveniently side by side. 1. Fold marks provided in the top and bottom margins. 2. Align the broken rules in the left margin with the heavy horizontal rules on the front to match keypunch numbers on the reverse with those on the front. 3. Add like-numbered items to arrive at GRAND TOTAL. 4. UNFOLD form before mailing to AMS-200																	
PRIMARY AIRPORT					SECONDARY AIRPORTS					OVERFLIGHTS					DAILY TOTAL (10-F) (14-I)		
AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL			
1	0	155	208	211	2448	0	0	0	0	0	0	0	108	0	1085	(16-19)	3533
2	0	123	180	191	2123	0	0	0	0	0	0	0	894	0	894	(20-23)	3017
3	0	97	181	215	2128	0	0	0	0	0	0	0	927	0	927	(24-27)	3055
4	0	105	231	243	2667	0	0	0	0	0	0	0	108	0	1080	(28-31)	3747
5	0	131	223	247	2608	0	0	0	0	0	0	0	119	0	1197	(32-35)	3805
6	0	95	181	208	2114	0	0	0	0	0	0	0	950	0	950	(36-39)	3064
7	0	39	149	96	1634	0	0	0	0	0	0	0	672	0	672	(40-43)	2306
8	0	86	189	169	2152	0	0	0	0	0	0	0	985	0	985	(44-47)	3137
9	0	36	675	101	812	0	0	0	0	0	0	0	369	0	369	(48-51)	1181
10	0	83	129	213	1590	0	0	0	0	0	0	0	602	0	602	(52-55)	2192
11	0	60	181	210	2086	0	0	0	0	0	0	0	862	0	862	(56-59)	2948
12	0	66	170	175	1950	0	0	0	0	0	0	0	919	0	919	(60-63)	2869
13	0	1076	2095	2279	2431	0	0	0	0	0	0	0	1054	0	1054		34854
	(17-21)	(22-26)	(27-31)	(32-36)		(37-41)	(42-46)	(47-51)	(52-56)		(57-61)	(62-66)	(67-71)	(72-76)			

1 FACILITY USE

SIDE 2

FOLD

2001

Users: All ATCTs

AIRPORT TRAFFIC RECORD

Mail ORIGINAL of this form to Washington Office, AMS-420 thru Regional Air Traffic Division

Facility Name	Location		
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Airport Operations Count For 2000

Month	ITINERANT					LOCAL			Total	Special Use
	AC	AT	GA	MI	Total	Civil	Military	Total		
1	665	727	7774	1036	10202	6286	1424	7710	17912	
2	714	616	8513	842	10685	7804	932	8736	19421	
3	807	760	9174	984	11725	8308	703	9011	20736	
4	746	714	9186	860	11506	7627	752	8379	19885	
5	582	681	9500	770	11533	9201	560	9761	21294	
6	491	670	8410	785	10356	7712	798	8510	18866	
7	455	607	7400	752	9214	7951	673	8624	17838	
8	482	588	8016	732	9818	9122	472	9594	19412	
9	459	553	7142	662	8816	7936	584	8520	17336	
10	545	700	9079	903	11227	9152	873	10025	21252	
11	735	734	8362	769	10600	8670	622	9292	19892	
12	801	674	6974	541	8990	7057	326	7383	16373	
7482	8024	99530	9636	124672	96826	8719	105545	230217		

2000

INSTRUMENT OPERATIONS					Facility Name										P I E					
Mail ORIGINAL of this form to Washington Office, AMS-200. Use reverse for STAGE III/TCA operations					LOCATION					(1-2) (3-4) Mo. Yr.		(5-7) Location Ident.								
(10-1) Facility Type ("X" one) (11) <input type="checkbox"/> A. CIPR, RAPCON, RATCC, OR RATCF <input type="checkbox"/> B. RADAR APPROACH CONTROL TOWER <input checked="" type="checkbox"/> C. LIMITED RADAR <input type="checkbox"/> D. NON-RADAR <input type="checkbox"/> E. CERAF										APPROACH CONTROL TOWER		FACILITY TYPE CHANGED (12) <input type="checkbox"/> Yes		IF DAILY HOURS OF OPERATION HAVE CHANGED, ENTER NEW HOURS					Hrs. 10 ⁰⁰ (77-79)	
1. FACILITY USE										From plus REVERSE "Dir. Total"										
MONTH	PRIMARY AIRPORT					SECONDARY AIRPORTS					OVERFLIGHTS					DAILY TOTAL (11-E) (11-1)	GRAND TOTAL			
	AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL					
1	665	480	281	440	4403	0	0	83	1	84	0	1	66	3	70	(10-19)	4557	7669		
2	714	395	283	282	4230	0	6	84	0	90	1	1	46	4	52	(10-20)	4372	7888		
3	807	413	319	289	4706	0	13	85	0	98	1	4	49	2	56	(10-21)	4860	8812		
4	742	385	305	273	4456	0	19	87	0	106	1	3	59	1	64	(10-22)	4626	8673		
5	582	383	301	264	4248	0	21	102	0	123	2	2	48	1	53	(12-15)	4424	8836		
6	491	293	274	191	1249	5	23	78	0	106	2	2	49	3	56	(10-23)	1411	5212		
7	455	305	263	250	3642	3	18	97	0	118	2	1	59	1	63	(10-24)	3823	6762		
8	482	323	291	212	3936	0	14	67	0	81	7	2	55	1	65	(10-25)	4082	7420		
9	459	305	274	213	3717	0	0	91	0	91	1	4	51	5	61	(10-26)	3869	6711		
10	550	400	273	303	3989	0	1	118	4	123	4	1	63	2	70	(12-16)	4182	8042		
11	735	399	287	191	4196	4	1	96	0	101	0	0	63	1	64	(10-27)	4361	7793		
12	801	403	243	159	3799	0	0	106	0	106	3	4	63	1	71	(10-28)	3976	6886		
31					0					0					0	(12-17)	0	0		
TOTAL	7483	4484	3153	3067	4657	12	116	1094	5	1227	24	25	671	25	745		4854	9070		
	(17-21)	(22-26)	(27-31)	(32-36)		(37-41)	(42-46)	(47-51)	(52-56)		(57-61)	(62-66)	(67-71)	(72-76)						

2000

CLASS B ARRIVAL AND DEPARTURE FOR 2000

THIS SIDE POSTAGE/STAGE CLASS B USE ONLY	ALL FACILITIES REPORTING STAGE III/TCA MUST COMPLETE	(1-2) Mo.	(3-4) Yr.	P I E (5-9) LOCATION IDENT	ADP CONTROL 10-5 STAGE III/TCA NEW CLASS B THIS MONTH (14) <input type="checkbox"/> YES
------------------------------------------------	---------------------------------------------------------	--------------	--------------	----------------------------------	--------------------------------------------------------------------------------------------------

INSTRUCTIONS

This form is designed to enable the users to arrive at the GRAND TOTAL by folding the form to position the two DAILY TOTALS conveniently side by side. 1. Fold marks provided in the top and bottom margins. 2. Align the broken rules in the left margin with the heavy horizontal rules on the front to match keypunch numbers on the reverse with those on the front. 3. Add like-numbered items to arrive at GRAND TOTAL. 4. UNFOLD form before mailing to AMS-200

INCH	PRIMARY AIRPORT					SECONDARY AIRPORTS					OVERFLIGHTS					DAILY TOTAL (10-F) (14-1)	
	AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL	AC	AT	GA	MI	TOTAL		
1	0	61	196	213	2238	0	0	0	0	0	0	0	874	0	874	(18 19)	3112
2	0	54	225	181	2493	0	0	0	0	0	0	0	102	0	1023	(20 21)	3516
3	0	143	245	258	2859	0	0	0	0	0	0	0	109	0	1093	(22 23)	3952
4	0	150	248	225	2863	0	0	0	0	0	0	0	118	0	1184	(24 25)	4047
5	0	144	283	240	3220	0	0	0	0	0	0	0	119	0	1192	(26 27)	4412
6	0	169	229	316	2779	0	0	0	0	0	0	0	102	0	1022	(28 29)	3801
7	0	105	180	167	2072	0	0	0	0	0	0	0	867	0	867	(30 31)	2939
8	0	85	215	152	2392	0	0	0	0	0	0	0	946	0	946	(32 33)	3338
9	0	88	176	155	2008	0	0	0	0	0	0	0	834	0	834	(34 35)	2842
10	0	158	230	251	2715	0	0	0	0	0	0	0	114	0	1145	(36 37)	3860
11	0	112	214	222	2476	0	0	0	0	0	0	0	956	0	956	(38 39)	3432
12	0	93	177	132	1996	0	0	0	0	0	0	0	914	0	914	(40 41)	2910
31					0					0					0	(72 73)	0
TO	0	1362	2623	2512	3011	0	0	0	0	0	0	0	1205	0	1205		42161
	(17-21)	(22-26)	(27-31)	(32-36)		(37-41)	(42-46)	(47-51)	(52-56)		(57-61)	(62-66)	(67-71)	(72-76)			

1 FACILITY USE

SIDE 2

FOLD

2000

C-2



U.S. Department
of Transportation
**Federal Aviation
Administration**

ORLANDO AIRPORTS DISTRICT OFFICE
5950 Hazeltine National Dr., Suite 400
Orlando, Florida 32822-5C 24
Phone: (407) 812-6331 Fax: (407) 812-6978

November 26, 2002

Mr. Michael Moulis
Moulis & Associates
Fort Lauderdale Jet Center
1100 Lee Wagener Boulevard
Fort Lauderdale, Florida 33315

Dear Mr. Moulis:

RE: St. Petersburg-Clearwater International Airport; Clearwater, Florida

Our office has received and reviewed your request of October 21, 2002, for an informal review of the Pinellas County decision to preclude your client, Mr. William M. Bruckner, Jr. (d/b/a, Florida Aerial Advertising), from conducting banner towing operations at the St. Petersburg-Clearwater International Airport (PIE).

Based on our review of the complaint and background information (letters from the airport, the Air Traffic Control Tower, the Tampa Flight Standards District Office), and a review of our Orlando Airports District Office office files, Pinellas County's decision to ban banner-towing operations at PIE is in compliance with their grant obligations and assurances. Please be advised that the Federal Aviation Administration conducted a separate safety study in April 2001 (reference Aeronautical Study No. 01-ASO-3059-NRA) to review your concerns. The results of those findings were previously transmitted to you in our May 17, 2001 letter (copy enclosed). Our position remains the same.

If you have further concerns regarding this issue, you can certainly pursue them under the Part 16 formal process.

Sincerely,

A handwritten signature in black ink that reads "Vernon P. Rupinta".

Vernon P. Rupinta
Program Manager

Enclosure

cc:
ASO-600
FDOT Aviation Office (Tallahassee)
J. Roeller, FDOT/7
D. Metz, St. Petersburg-Clearwater International Airport

patterns that banner tow aircraft must utilize. Banner pickups and drops introduce the possibility of fouling an active runway if the banner is released in the wrong place or is inadvertently dropped, causing air traffic delays or hazards to persons and property on the surface.

- 3) While a banner towing operation, in and of itself may not be unsafe, adding this activity to the mix of other aircraft operations (commercial jets, Coast Guard rescue, air ambulance, flight training, air taxis, etc.) at PIE would seriously compromise airport safety.
- 4) When an airport reaches the volume that PIE has, banner towing operations cannot safely be worked into the traffic. High volume airports with commercial flights do not allow banner towing because it would result in interruption of the traffic flow and untenable delays for other aircraft in order to clear the way for banner-towing aircraft. Commercial jets are designed for fast flight and do not maneuver quickly when in landing or take-off configurations. It compromises their safety to mix in operations that have the potential to interrupt the traffic flow and cause aborted take-offs or landings.

In the interest of the FAA's top priority of airport safety, we therefore see no reason to object to the determination by Pinellas County, disallowing all banner towing operations at the St. Petersburg-Clearwater International Airport.

In addition, we see no evidence at the present time that Pinellas County or the airport has violated any of the grant assurances or jeopardized Airport Improvement Program (AIP) funding.

If you have further concerns regarding this issue, you can certainly pursue them under the Part 16 formal process.

Sincerely,

Original Signed By

Susan A. Moore, P.E.
Program Manager

cc:

Dave Metz, Airport Director
Sandy Bathon, ATCT Manager
Buz Massengale, TPA-FSDO
John Roeller, FDOT/7

bcc:

Roger Hall, ASO-610H

ORL-ADO:SAM:KED:5-17-01 A:\BRUCKINFRESCO.DOC

C-3



St. Petersburg-Clearwater International Airport

14700 TERMINAL BLVD., SUITE 221, CLEARWATER, FLORIDA U.S.A. 33762
(727) 453-7800 • FAX: (727) 453-7847 • Web: www.FLY2PIE.com

®

DAVID M. METZ
Director

September 29, 2002

Mr. Michael A. Moulis
Moulis & Associates, PA
Fort Lauderdale Jet Center
1100 Lee Wagner Boulevard
Fort Lauderdale, Florida 33315

Dear Mr. Moulis:

I am in receipt of your correspondence dated September 4, 2002, regarding banner-towing operations at the St. Petersburg-Clearwater International Airport (Airport).

On March 13, 2001, the Pinellas Board of County Commissioners adopted Resolution 01-45, prohibiting banner-towing operations at the Airport. No significant circumstances or conditions at the Airport have changed since that Resolution was adopted to cause Pinellas County to reconsider its decision as expressed to your client in my letter of February 28, 2001. Therefore, the request to conduct banner-towing operations at the Airport is denied.

Sincerely,

David M. Metz
Executive Director

DMM:trj

cc: Honorable Chairman and Members of the Board of County Commissioners
Stephen M. Spratt, County Administrator
Jacob Stowers, Assistant County Administrator
Susan Churuti, County Attorney
B. Norris Rickey, Senior Assistant County Attorney

C-4



FORT LAUDERDALE JET CENTER
1100 LEE WAGENER BOULEVARD
FORT LAUDERDALE, FLORIDA 33315
TELEPHONE: (954) 359-3172
FACSIMILE: (954) 359-3213

September 3, 2002

Mr. David Metz
Airport Director
St. Petersburg-Clearwater International Airport
Terminal Building Suite 221
Clearwater, Florida 33762

Re: *Florida Aerial Advertising
Lease to Operate at the St. Petersburg-Clearwater Airport*

Dear Mr. Metz:

Florida Aerial Advertising has retained our services with regard to the above referenced matter. On or about December 2000, you met with my client and Mr. Steve Nash to discuss a lease to operate an aerial advertising business at the St. Petersburg-Clearwater International Airport. Additionally, last January through April, my client through the undersigned attempted to gain approval to operate banner towing operations out of St. Petersburg Clearwater International Airport.

We have received your latest correspondence declining our client's request to operate his business, which I cannot understand since Florida Aerial Advertising has been approved by your airport since the first lease proposal. Now in light of the fact that St. Petersburg Clearwater International Airport's operations have declined significantly since September 11, 2001, it is our position that banner tow operations may be conducted out of the airport without any safety related issues. Accordingly, we formally request that the airport permit Florida Aerial Advertising to operate its banner towing operations out of St. Petersburg Clearwater International Airport.

Mr. Bruckner has operated a legitimate aerial advertising business for approximately 16 years. His operations have been approved by, and currently operate legitimately under the authority of state, local, and federal agencies. Further, Florida Aerial Advertising has always been in compliance with all federal and state regulations and continues to maintain an unblemished record with the Federal Aviation Administration (FAA).

St. Petersburg-Clearwater International Airport is both a state and federally funded airport and must comply with all applicable federal and state regulations. One such regulation precludes St. Petersburg-Clearwater International Airport from excluding any legitimate aviation activity. According to current precedent and applicable law, aerial advertising is a legitimate aviation activity. Accordingly, St. Petersburg-Clearwater International Airport must permit Mr. Bruckner's operations. Such permission must be granted within a reasonable time.

My client has been extremely patient with St. Petersburg-Clearwater International Airport concerning this issue. Your predecessor's proposed leases to my client were absurd and nothing more than a pretense to exclude aerial advertising from the St. Petersburg-Clearwater International Airport. Such an exclusion is in violation of the federal grant assurances program possibly subjecting the St. Petersburg-Clearwater International Airport to forfeiting current as well as future and past funds obtained under that program.

If you have any questions or comments or otherwise cannot comply with our requests, please contact me at the above number.

Sincerely,



Michael A. Moulis

Attorney at Law

Florida Bar No.: 0186790

Cc: County Commissioner Todd
County Commissioner Harris
County Commissioner Stewart
County Commissioner Latvaia
County Commissioner Seel
County Commissioner Morrioni
County Commissioner Welch
County Administrator Spratt