



SOUTH BEACH

Jet-set gets to party as city left outside

■ On the eve of a birthday bash for the wife of one of the world's richest men, Miami Beach threatened to shut down the Star Island party.

BY DAVID SMILEY
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The guests had arrived from Europe. The limos were on standby. And the beauty queen wife of one of the world's wealthiest men — No. 64, according to Forbes magazine — was getting ready to celebrate her 40th birthday with a multi-million dollar bash at a private Star Island mansion.

But a buzz kill of bureaucratic proportions loomed: The city of Miami Beach declared the party illegal and threatened to bust it up with code enforcement and police officers.

Enter a Miami-Dade circuit court judge, who intervened following a hastily called emergency meeting at the county courthouse on Saturday.

Kirsty's Fabulous 40th birthday bash was back on.

While Judge Jose Rodriguez's four-paragraph decision no doubt pleased Swiss-Italian billionaire Ernesto Bertarelli and his wife, Kirsty Bertarelli, it royally irked Miami Beach's mayor — and provided plenty of fodder for attorneys and

• TURN TO PARTY, 2A



SOUTH BEACH

The party goes on — now the fight will continue

• PARTY, FROM 1A

property owners who have been feuding with the city over its laws forbidding so-called party houses.

"If this person gets away with a stay like this it sets a precedent," said Mayor Matti Herrera Bower. "I'd be very upset. We could have mayhem here."

The Saturday festivities took place at the home of South Beach socialite and developer Thomas Kramer, a helicopter-flying, 53-year-old bon vivant known for hosting massive revelries and celebrities at his 11-bedroom pad.

Kramer's home is known as a high-end hotspot for private bashes — VHI's *The Fabulous Life* listed his mansion among the "Most Insane Real Estate on the Planet," and revealed that Kramer had a \$20 million wine collection and a dining room with a ceiling adorned with 24-karat gold and a table mounted with stripper poles. The real estate mogul has a stuffed giraffe's head on the wall, and has hosted a Rick Ross music video shoot and the *Real Housewives of Atlanta*.

On Saturday, Kramer opened his mansion to Kirsty and Ernesto Bertarelli, who according to Forbes was worth \$10 billion as of last March and made his fortune when he inherited his father's biotech company in 1998 and then sold it for billions nine years later. The 45-year-old has a love for

LEGISLATURE 2011

In Florida, divided we stand

Protesters in Tallahassee and South Florida focus on state spending



MARICE COHN BAND/MIAMI HERALD STAFF

MAKING A POINT: Surrounded by nearly 900 other union members, teacher Joyce Harden joins a rally Tuesday at the Mahi Shrine Temple in Miami. The protest was one of several in Florida.

Gov. Scott's message: It's job No. 1

■ In his first State of the State speech, Gov. Rick Scott reaffirmed his plans to revolutionize government by making Florida a more business-friendly state.

BY MICHAEL C. BENDER
Herald/Times Tallahassee Bureau

TALLAHASSEE — Gov. Rick Scott gave state lawmakers the hard sell in a measured and positive State of the State speech Tuesday, urging them to embrace his vision of a transformed Florida that would serve as a national model of job creation with fewer taxes and less regulation on businesses.

Scott acknowledged his long line of critics, but told lawmakers to stare them down.

"Don't blink," he said in the biggest applause line, drawing a standing ovation. "Don't let spe-



BILL COTTERELL/AP

SUPPORTERS: Gov. Rick Scott addresses a crowd from the steps of the old Capitol before his State of the State speech.

ign, offering few specifics while portraying his budget plan as a boon for businesses that would lead to jobs for 1.1 million out-of-

ment in Florida stands at 12 percent — 12 percent," Scott said, capping a divisive opening day of the annual spring-lawmaking session

BY MARY ELLEN KLAS
Herald/Times Tallahassee Bureau

Emotions ran high in Tallahassee on Tuesday on the first day of the Florida legislative session as tea party supporters rallied to demand less government and more tax cuts, while state workers, teachers and advocates for the disadvantaged rallied to protect government programs.

The discordant messages were delivered in peaceful protests on a picture perfect spring day, but they set the tone for what could be a bruising 60-day session.

Speaking to 500 tea party activists, Gov. Rick Scott urged them to pressure the Republican-led Legislature into passing his budget proposals, which all for \$1.7 billion in tax cuts and the elimination of as many as 8,600 state jobs. Republican legislative leaders are not sold on Scott's budget.

"Here's the key. A lot of us are better if we're held accountable," Scott told the tea party crowd with Lt. Gov. Jennifer Carroll at his side. "If we're not going down the path, call us. Show up and complain."

Across the street more than 300 protestors demonstrated against the governor plan. They berated his proposed elimination of corporate income tax cuts, his \$3.3 billion cut to education and his proposal to use \$1.4 billion in cuts to state worker retirement benefits to help cover the budget gap.

"This is going to be the last nail of the coffin of the middle class," said Randy Gray, 47, a law enforcement officer in Tallahassee.

The Tallahassee rally was one

• TURN TO PROTESTS, 12A

Coming up in the Capitol

Teacher tenure: A proposal that would make it easier to fire teachers will be debated Wednesday on the Senate floor.

Unemployment tax: A House bill to reduce unemployment tax on businesses and cut benefits for

yacht racing, lives in a chalet in Gstaad, Switzerland, and owns a house on Lake Geneva.

His wife, the birthday girl, is a songwriter and former Miss United Kingdom.

According to the website created for the invite-only "Kirsty's Fabulous 40th," Saturday's event at Kramer's house was the headliner of a three-day soiree for which about 200 friends and family hopped the pond to South Beach. They stayed at The Setai, where on Friday they enjoyed a white-coat, Cuban-themed party.

THE SCENE

On Saturday, limos lined up at 7 p.m. to take guests to Star Island, where the dress code was listed as "Glamorous Extravaganza." But the city sent word on Friday that the party was deemed illegal and would be shut down if guests showed up. By Saturday, Miami Beach officials, and attorneys representing the city and the European billionaire were gathered at the courthouse.

"My wife's fortieth birthday will be ruined and forever remember [sic] as a public disgrace to my family unless the party goes forward," Ernesto Bertarelli said Saturday in a sworn affidavit.

The couple spent more than \$3 million on the party, according to court documents.

No worries.

Less than four hours before the

party's start time, Rodriguez said party on.

Attempts to reach Kramer and the Bertarellis were unsuccessful. Kramer's attorney declined to comment.

A court spokeswoman said Rodriguez could not legally comment on his ruling because the case is still open.

The judge wrote in his motion that he based his decision on four points: the city was likely incorrect in its stance that Kramer had violated the city's "party house" law; killing the party would badly damage the Bertarellis' reputation; the city waited until Friday to deem it illegal; and the party likely wouldn't bother neighbors. (Gloria and Emilio Estefan live across the street.)

But although Rodriguez didn't stop the party, his decision doesn't preclude Kramer or others associated with the soiree from facing penalties.

The city has appealed Rodriguez's decision, though obviously it can't stop a party that's already happened.

TRICKY BUSINESS

The issue of high-priced party pads is a tricky one in Miami Beach — which simultaneously prides itself as a playground for the jet-set as well as the hometown of thousands of locals who live there year-round.

Two weeks ago, dozens of



/MANNY HERNANDEZ PHOTOS

CONTROVERSY: Thomas Kramer, with Giselle D'Cole at a Best Buddies gala, rented out his home for the birthday party of a billionaire's wife.

neighbors filed into City Hall, including the president of the Palm-Hibiscus-Star Islands Association, and complained that the city wasn't enforcing laws banning daily and weekly rentals in certain areas.

Residents have complained about loud music and parties, and the constant influx of strangers into their streets. They point to prolific Internet ads touting for-rent party pads.

Kramer's mansion is listed as a "5-star rental in Miami Beach with hotel-like service" at

www.thomaskramer.com.

But attorneys including John Shubin, who is fighting the city's party house law in federal court on behalf of Palm Island homeowner Christian Jagodzinski, say Miami Beach is trampling property rights.

"It goes too far," said Shubin, who said the city doesn't draw the line between someone legitimately renting out their house for a party and those property owners who create a nuisance.

LEGAL ISSUE

While City Attorney Jose Smith said no one complained about the Bertarelli party, he said Kramer still ran afoul of city law when he rented out his home for the night.

Smith said the city would have moved to squash the birthday bash earlier, but officials didn't know that Kramer was renting out his home for the night until he tried to hire off-duty Miami Beach paramedics.

Asked to provide required back-up material, Kramer gave the city the contract between Kramer and the party planner — which listed his \$40,000 fee.

"Kramer should have known better," Smith said.

Bower said the judge should have known better, too.

"The idea that if you have a lot of money you could break the law," she said, "is something that's really concerning."