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CAMPAIGN 2010 | FLORIDA HOUSE

# Doral councilwoman disqualified from race

**A judge disqualified a candidate from seeking a Florida House seat because she did not resign from the Doral city council to run.**

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Doral Councilwoman Sandra Ruiz has been disqualified from running for Florida House District 112, after a judge sided with two of her opponents who sued because Ruiz did not follow the resign-to-run state law.

Circuit Court Judge Jerold Bagley ruled Wednesday in favor of Democrat Johnny G. Farias and Republican Jeanette Nuñez, who argued that Ruiz should have resigned her council seat because state law prohibits an elected official from qualifying as a candidate for another public office if the terms overlap and if the official has not resigned his or her current office.

"The possibility, however slight, exists that Ms. Ruiz's election to the Legislature could overlap with her current position as a city of Doral council member," Bagley wrote in his ruling.

Joe Geller, one of Ruiz's lawyers, said Ruiz plans to appeal. Bagley's ruling does not go into effect for seven days, so absentee

and early voters may still cast ballots for Ruiz.

Ruiz, who is term-limited, had argued that she did not need to resign because her council term ends on Election Day, Nov. 2, so there would be no overlap with a possible House term.



RUIZ

"What this law is there to say is, you cannot exercise the authority of two offices at the same time, and that is impossible in this circumstance," Geller said.

Lawyers for Farias and Nuñez had countered that Doral council terms do not begin until the day after Election Day — and that the city could hold council meetings between Election Day and the day a council member is sworn in.

"You also have the fact that there could be a recount, there could be a close election," said Republican state Rep. J.C. Planas, Nuñez's attorney. "A lot of times the certification of the election cannot be for, sometimes, 10 days after [election day]."

If Wednesday's ruling is upheld, voters in District 112 — which includes portions of Miami-Dade,

Broward and Collier counties — would see a posted sign in polling places saying Ruiz has been disqualified. Future absentee ballots would also be sent out with that notice.

Because Ruiz is a Democrat, an upheld ruling could also leave Farias as the automatic winner of the Democratic primary to replace Republican state Rep. David Rivera. Three Republicans, including Nuñez, are vying for the post, along with Doral Vice Mayor Robert Van Name, who is running without party affiliation.

Van Name's term on the City Council also expires on Nov. 2, but he filed a letter June 3, two weeks before qualifying for the state House race, resigning his Doral post as of Election Day.



The City of Miami Housing & Commerce Department is conducting a public hearing related to the Community Development ("NSP"), and other City of Miami funded projects.

Discussions/recommendations pertain to:

1. Allocation in the amount up to \$100,000 for rental development located at [redacted]

Interested individuals are encouraged to attend. Accommodations may be directed to the public hearing date.

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