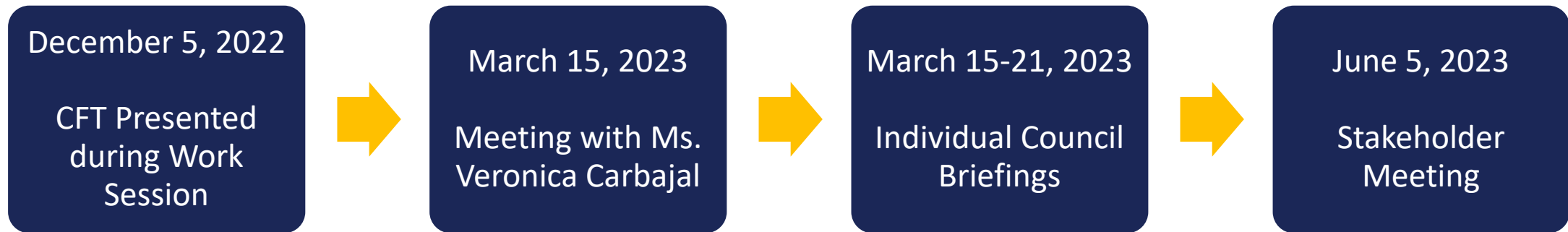


# Financing of Election Campaigns

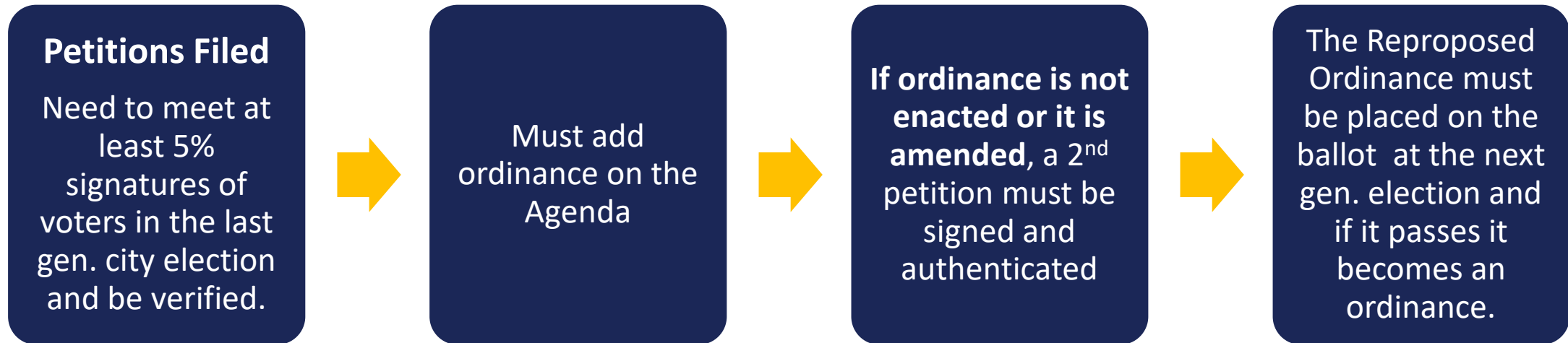
Cross-Functional Team

# Timeline



# Initiative Petition Process in the Charter

## Section 3.11-Initiatives



Proposed ordinances cannot be amended between petitions  
Currently, we are after step 2 of this process

# Proposed Language (August 4, 2022)

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## Proposition A

Shall an ordinance be approved to limit contributions to political campaigns for mayor and city council to \$1,000 per individual donor per election, require campaign donors to disclose their place of employment, and adopt enforcement provisions, \$5,000 limit on contributions or expenditures from candidate's own fund, \$5,000 limit on total aggregate contributions per candidate per election from sources other than natural persons (PACs), and \$2,500 limit on total aggregate contributions per candidate per **runoff** election from sources other than natural persons?

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## Proposition B

Shall an ordinance be approved to establish public financing for candidates for mayor and city council who voluntarily agree to limit their campaign contributions and expenditures and demonstrate community support for their candidacy?

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## Proposition C

Shall an ordinance be approved to use ranked choice voting for the election of mayor and city council where voters rank candidates in order of preference, and if no candidate receives a majority, candidates with the fewest votes are eliminated and the votes they received are transferred to voter's second choice, and so on until there is a majority vote for one candidate, so long as permitted by state law?

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# Proposition A

**Proposition A - Shall an ordinance be approved to limit contributions to political campaigns for mayor and city council to \$1,000 per individual donor per election, require campaign donors to disclose their place of employment, and adopt enforcement provisions**

Individual Campaign Contribution Limits per election cycle (365 days before the election)	Annual Modifications at Budget Adoption	Required Disclosures for Contributors	Violations and Penalties
\$1,000 Individual Contribution limit from any person (except candidate and PAC funds) for election and runoff combined	\$1,000 Individual Contribution limit shall be modified to increase/decrease based on the most recently published CPI	Disclose name of their employer or current place of employment	Candidate shall determine if accepting funds would violate any limits prior to accepting a contribution
\$5,000 limit on contributions or expenditures from candidate's own fund to include loans	<ul style="list-style-type: none"> <li>March 2022 publication to be used as the base of 100 and adjustment thereafter will be to the nearest \$50.</li> </ul>	If not employed - disclose current status (Ex: retired, unemployed, etc.)	<ul style="list-style-type: none"> <li>Return funds that exceed limits on campaign contributions within 20 days of receiving the campaign contribution</li> </ul>
\$5,000 limit on total aggregate contributions per candidate per election from sources other than natural persons (total from all pacs limited to \$5,000)	\$5,000 Candidate Contribution limit (from own fund) shall be modified to increase/decrease based on the most recently published CPI		<ul style="list-style-type: none"> <li>Date of donation is when donation was accepted or when the electronic deposit, check, or money order was deposited into a bank account or cashed</li> </ul>
\$2,500 limit on total aggregate contributions per candidate per runoff election from sources other than natural persons (total from all pacs limited to \$2,500)	<ul style="list-style-type: none"> <li>March 2022 publication to be used as the base of 100 and adjustment thereafter will be to the nearest \$50.</li> </ul>		\$500 civil penalty for each violation of a campaign contribution
	\$5,000; \$2,500 Total Aggregate Contribution limit shall be modified to increase/decrease based on the most recently published CPI <ul style="list-style-type: none"> <li>March 2022 publication to be used as the base of 100 and adjustment thereafter will be to the nearest \$1,000.</li> </ul>		<ul style="list-style-type: none"> <li>due on the 21<sup>st</sup> day after the violation occurred (i.e. when the unlawful campaign contribution was received)</li> </ul>
			\$50 fine for every day the initial fine goes unpaid

# Proposition B

Proposition B - Shall an ordinance be approved to establish public financing for candidates for mayor and city council who voluntarily agree to limit their campaign contributions and expenditures and demonstrate community support for their candidacy?				
Terms to participate in the Campaign Public Financing Program	Program Terms for Mayoral Candidates	Program Terms for City Council Candidates	Violations and Penalties	Establishment of Program
Sign a campaign public financing contract	Collect signatures from 1% of the number of registered voters in the City of El Paso between 365 and 45 days before election day and submit to the City Clerk	Collect signatures from 1% of the number of registered voters in their Council district as of the date of the last general election between 365 and 45 days before election day and submit to the City Clerk	Violation for exceeding funding and spending limits as determined by campaign finance reports	City Clerk Department will establish, administer, control, and publicize the program
Accept no more than \$1,000 in contributions per individual	Eligible candidates will receive \$65,000 (while funds are available)	Eligible candidates will receive \$20,000 (while funds are available)	Required to return funding to the City within 15 days of the violation and will not be allowed to participate in the program again	City Clerk has 10 working days to validate the signature and provide the funding to the eligible candidate
Accept no more than \$5,000 in contributions from a PAC for a regular election	Has not accepted more than \$150,000 in campaign contributions prior to submitting the requisite signatures and will not accept more than \$150,000 per election cycle	Has not accepted more than \$50,000 in campaign contributions in election cycle prior to submitting the requisite signatures and will not accept more than \$50,000 per election cycle		City acting through the City Clerk shall establish a public financing fund account to be under the Clerk's discretion and control
Accept no more than \$2,500 in contributions from a PAC for a runoff election	Funds from the public financing program do not count towards \$150,000 limit	Funds from the public financing program do not count towards the \$50,000 limit		Use of public funding to be used for
Expend up to \$5,000 from their personal funds to fund their campaign	Up to \$260,000 from the City of El Paso's general fund for every mayoral election will be available	Up to \$240,000 from the City of El Paso's general fund for every council candidate election will be available		<ul style="list-style-type: none"> <li>o Candidate filing fees</li> <li>o All campaign finance</li> <li>o Lobbyist reporting</li> <li>o Ethics fines</li> <li>o Late fees</li> <li>o Criminal penalties</li> <li>o Donations and grants for the program</li> <li>o Interest or other gains from the fund</li> <li>o Other funds appropriated or designated for the fund</li> </ul>
				At the beginning of the calendar year, transfer \$500,000 from general revenue to the program At the end of the year, City Clerk may transfer back any excess to the City's general fund at his/her discretion

# Proposition C

**Proposition C - Shall an ordinance be approved to use ranked choice voting for the election of mayor and city council where voters rank candidates in order of preference, and if no candidate receives a majority, candidates with the fewest votes are eliminated and the votes they received are transferred to voter's second choice, and so on until there is a majority vote for one candidate, so long as permitted by state law?**

Ranking Process	Tabulation Procedures
Rank up to five candidates per office inclusive of any write-in candidate permitted by law in order of preference	In each round the number of votes for each continuing candidate shall be counted
If less than five candidates the voter shall rank the total number of candidates inclusive of any write-in candidate permitted by law	Each continuing ballot shall count as one vote for its highest ranked continuing candidate for that round
If candidate receives majority of higher rank votes, candidate shall be elected	If there are more than two continuing candidates, the last place candidate shall be eliminated and new round shall begin until it results in only one continuing candidate
If no candidate receives majority of highest rank votes, tabulation begins	If there are two continuing candidates, the candidate with the most votes shall be elected
	Tie between two or more candidates shall be resolved in accordance with election law
	Inactive ballots shall not be counted for any continuing candidate

# Deliverables

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<b>Deliverable 1</b>	Research requirements and best practices for ordinances similar to those prepared by the Fair Elections Initiative Petitioners
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<b>Deliverable 2</b>	Identify main points regarding election opportunities across the various segments of the community. Population? Cost of living?
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<b>Deliverable 3</b>	Determine the pros and cons of similar legislation enacted in other comparative cities to include Texas cities (action taken at local level)
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# Deliverables (continued)

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<b>Deliverable 4</b>	Determine costs of City Council campaigns and balance contribution limits against needs to raise adequate funding by candidates.
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<b>Deliverable 5</b>	Research and recommend enforcement processes and penalties to address violations of proposed ordinances.
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<b>Deliverable 6</b>	Research requirements for public campaign fund financing.
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# Overview

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Five cities were **benchmarked** for similar legislation, Austin is the only Texas city that has adopted similar legislation

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Receiving the highest contributions helps with a **viable candidacy** but not necessarily with winning.

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**Additional contributions** lead to little change; a combination of factor influence election results including being an incumbent and voter apathy.

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Each selected candidate reviewed during the last two election cycles surpassed the proposed **contribution or expenditure limitations** set by Proposition A

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Texas legislation prohibits use of general funds for political advertising however, the use of donations or other funds can be used towards a **public financing program**.

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# Deliverable 1

Research requirements and best practices for ordinances similar to those prepared by the Fair Elections Initiative Petitioners

## Proposition A

### Identified five cities for benchmarking

- Tucson, AZ
- Albuquerque, NM
- Austin, TX
- San Antonio, TX
- Dallas, TX

## Proposition B

### Cities that provide public financing

- Tucson
- Albuquerque
- Austin, TX

## Proposition C

- Austin is the only Texas city that has adopted similar legislation
- Texas Legislature considered Prop C
  - 1 Bill to make preferential voting optional
  - 1 Bill to make preferential voting mandatory (City Council motion failed)

# Deliverable 2

Identify main points regarding election opportunities across the various segments of the community.

Population? Cost of living?

City	Household Income	Population	Contribution Limits	Public Financing Available
EL PASO	\$48,866	678,415		
TUCSON	\$45,227	534,242	\$500 limit to mayor and city council per individual; \$1000/committee	Yes
ALBUQUERQUE	\$53,936	562,599	Total contributions from one person cannot be more than 5% the annual salary for such office.	Yes
AUSTIN	\$78,965	964,177	\$450 per individual; \$1,000/committee	Yes - non general fund, lobbyist fees, donations, liquidated damages, criminal fines (campaign law violations), filing fees
SAN ANTONIO	55,084	1,451,853	\$500/individual for Council, \$1,000/for Mayor	No
DALLAS	\$58,231	1,288,457	\$1,000/individual for Council, \$5,000/for presiding member	No

# Deliverable 3

Determine the pros and cons of similar legislation enacted in other comparative cities to include Texas cities (action taken at the local level)

## CONTRIBUTION LIMITS:

### Pros of legislation enacted in other Cities

- Less likely pay for play
- May improve public confidence in governmental officials
- May prevents costs related potential corruption
- Creates a fairer system

### Cons of legislation enacted in other Cities

- Difficult to measure actual benefits
- Easy to circumvent
- Challenging for candidates to run a viable campaign
- Constitutional protection of freedom of association challenges

# Deliverable 3

---

Determine the pros and cons of similar legislation enacted in other comparative cities to include Texas cities (action taken at the local level)

## CONTRIBUTION LIMITS:

### Existing controls

- Procurement laws
- Solicitation processes and vetting
- Required disclosure of contributions
- Ethics Code standards of conduct

# Deliverable 3

Determine the pros and cons of similar legislation enacted in other comparative cities to include Texas cities (action taken at the local level)

## CAMPAIGN FINANCE PROGRAM:

### Pros of legislation enacted in other Cities

- May helps even out the "playing field"
- Could improves voter turnout
- May creates a fairer system
- Austin has a program

### Cons of legislation enacted in other Cities

- Difficult to measure actual benefits
- Legal issues with using public funds (Austin's has not been challenged)
- Creates and additional burden for the City Clerk

# Deliverable 3

---

Determine the pros and cons of similar legislation enacted in other comparative cities to include Texas cities (action taken at the local level)

## **RANKED CHOICE VOTING:**

### Pros of legislation enacted in other Cities

- May reduce cost of runoffs (likely a cost to conduct ranked choice)
- May improve voter turnout
- Austin has ranked choice trigger law

### Cons of legislation enacted in other Cities

- Currently not allowed by law in Texas



## Deliverable 4

# Campaign and Elections Analysis

Determine costs of City Council campaigns and balance contribution limits against needs to raise adequate funding by candidates.

# Objectives

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What is the relationship between contributions and campaign results?

Does this relationship support a public financing option to make some candidates viable?

Finding – contributions matter but only to an extent, they are statistically associated to outcomes but lead to little change unless a lot of funding is provided.

# Database

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- 5 election cycles – campaign finance reports & election archives
- May **2015** and **2017** – Comparison baselines before moving to coincide with November general elections
- November **2018** and **2022** – coincide with Texas Governor election
  - cycle for **Districts 1, 5, 6, and 8**
- November **2020** – coincides with U.S. President and El Paso Mayor elections which helps increase voter turnout
  - cycle for **Districts 2, 3, 4, and 7**

# Expenses & Contributions 2015-2022

# of			Total Expenditures				Total Contributions			
Candidates			Mean	Median	Min	Max	Mean	Median	Min	Max
3 election cycles	District 1	17	\$26,839	\$10,364	\$0 (1)	\$96,972	\$23,146	\$2,562	\$0 (1)	\$89,218
	District 5	9	\$23,884	\$10,697	\$1,222	\$112,727	\$24,122	\$9,950	\$0 (1)	\$112,959
	District 6	8	\$12,730	\$8,021	\$350	\$36,266	\$22,857	\$15,583	\$0 (1)	\$52,175
	District 8	11	\$19,236	\$11,497	\$0 (1)	\$78,126	\$19,151	\$11,210	\$310	\$72,169
2 election cycles	Mayor	14	\$79,239	\$9,114	\$0 (4)	\$397,312	\$80,219	\$17,653	\$0 (4)	\$288,517
	District 2	9	\$8,196	\$3,702	\$0 (2)	\$22,689	\$9,775	\$2,960	\$0 (3)	\$35,597
	District 3	8	\$20,195	\$21,444	\$0 (1)	\$43,130	\$22,310	\$19,127	\$0 (2)	\$55,697
	District 4	9	\$12,087	\$10,977	\$262	\$22,751	\$17,698	\$20,726	\$373	\$35,726
	District 7	4	\$20,137	\$14,959	\$13,068	\$37,561	\$27,311	\$22,843	\$12,910	\$50,650

**District avg. = \$18,791 ; median = \$10,977**

**District avg. = \$20,521 ; median = \$10,871**

# Number of Candidates with No Expenses

Candidates with \$0 Expenditures

	2017	2020	2022
District 1			1
District 8			1
Mayor	3	1	
District 2	2		
District 3		1	

Candidates with \$0 Contributions

	2017	2020	2022
District 1			1
District 5			1
District 6			1
Mayor	3	1	
District 2	2	1	
District 3	1	1	

With Prop B, 6 candidates with \$0 contributions would potentially be eligible for up to \$20K in public funds in last 2 elections

# Loans & Personal Funds 2015-2022

# of			Total Loans				Total Personal Funds			
Candidates			Mean	Median	Min	Max	Mean	Median	Min	Max
3 election cycles	District 1	17	\$7,153	\$0	\$0	\$51,000	\$1,388	\$0	\$0	\$12,388
	District 5	9	\$410	\$0	\$0	\$1,632	\$589	\$64	\$0	\$2,883
	District 6	8	\$1,750	\$0	\$0	\$14,000	\$498	\$0	\$0	\$3,601
	District 8	11	\$3,583	\$600	\$0	\$25,000	\$5,982	\$59	\$0	\$41,982
2 election cycles	Mayor	14	\$3,120	\$0	\$0	\$20,000	\$612	\$167	\$0	\$2,691
	District 2	9	\$377	\$0	\$0	\$1,432	\$391	\$0	\$0	\$1,195
	District 3	8	\$2,156	\$400	\$0	\$9,296	\$900	\$0	\$0	\$4,947
	District 4	9	\$568	\$0	\$0	\$2,000	\$574	\$70	\$0	\$3,700
	District 7	4	\$10,750	\$8,000	\$0	\$27,000	\$406	\$125	\$0	\$1,375

District avg. = \$3,299 ; median = \$0

District avg. = \$1,549 ; median = \$0

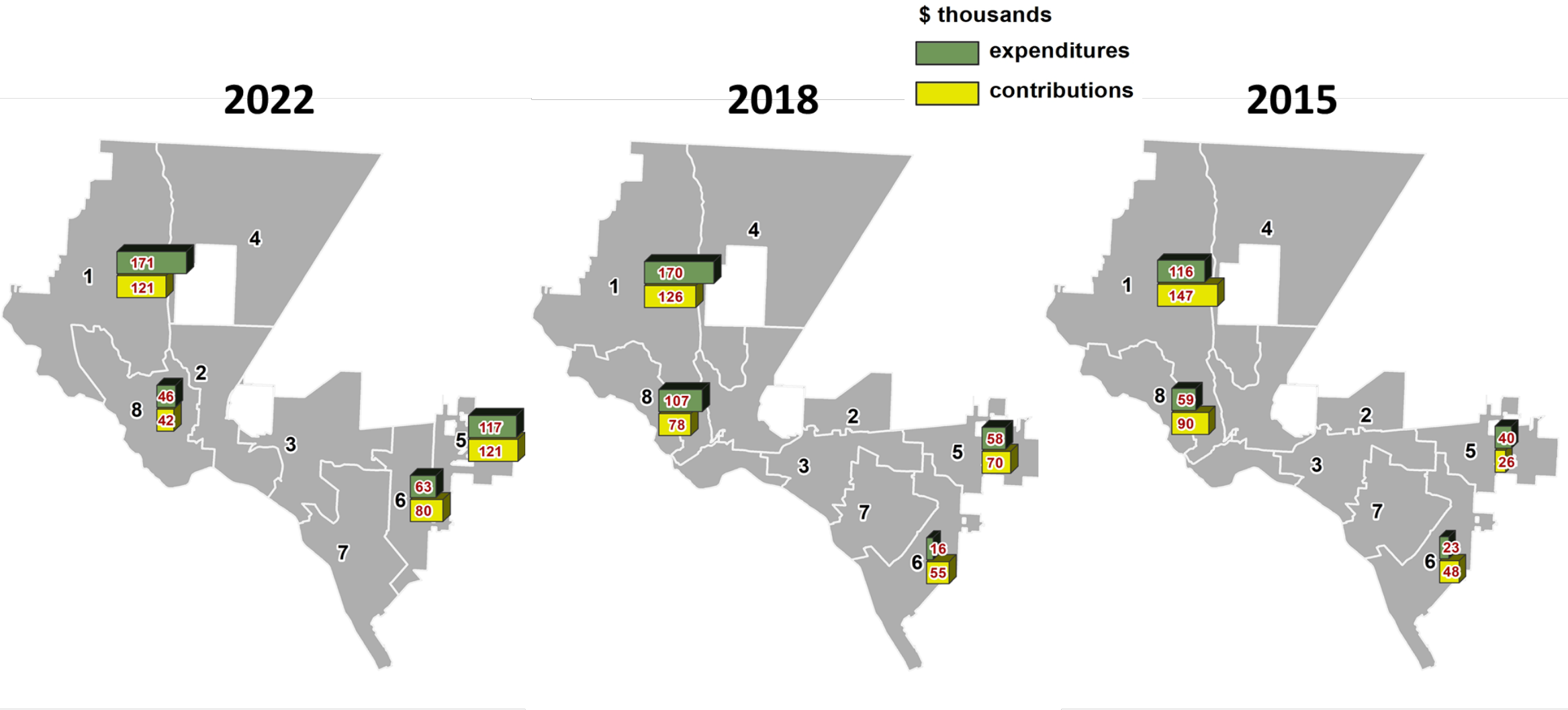
# Runoffs Expenses & Contributions 2015-2022

Runoff # of			Total Expenditures			Total Contributions		
Candidates			Mean	Min	Max	Mean	Min	Max
3 election cycles	District 1	6	\$52,403	\$859	\$96,972	\$49,400	\$2,562	\$89,218
	District 5	0						
	District 6	2	\$28,891	\$21,515	\$36,266	\$37,100	\$22,025	\$52,175
	District 8	4	\$28,734	\$3,143	\$78,126	\$19,104	\$3,659	\$45,240
2 election cycles	Mayor	4	\$232,635	\$115,010	\$397,312	\$211,251	\$142,774	\$288,517
	District 2	4	\$16,818	\$6,135	\$22,689	\$20,905	\$4,602	\$35,597
	District 3	2	\$32,861	\$22,592	\$43,130	\$41,847	\$27,996	\$55,697
	District 4	4	\$21,191	\$18,374	\$22,751	\$27,853	\$20,726	\$35,726
	District 7	0						

District avg. = \$32,041

District avg. = \$32,988

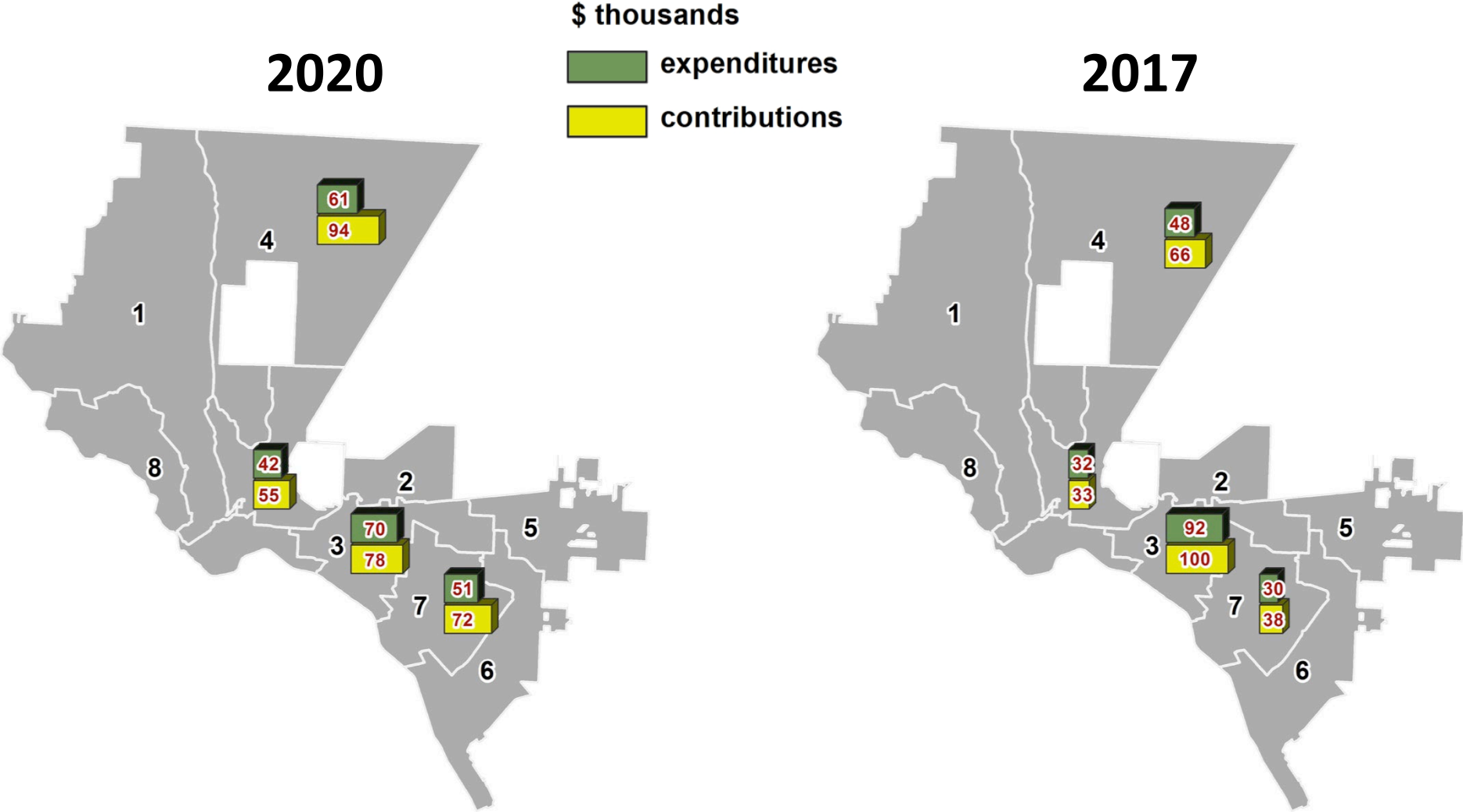
# Totals for all Candidates



Notes: Excludes runoffs ; districts redrawn for November 2022 election.



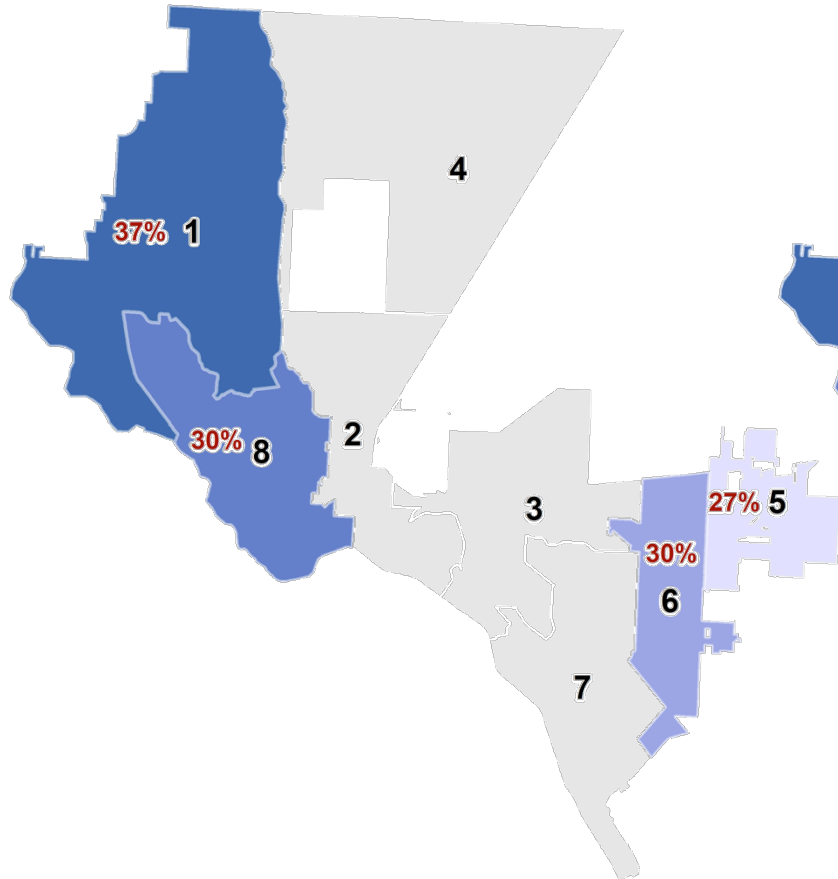
# Totals for all Candidates



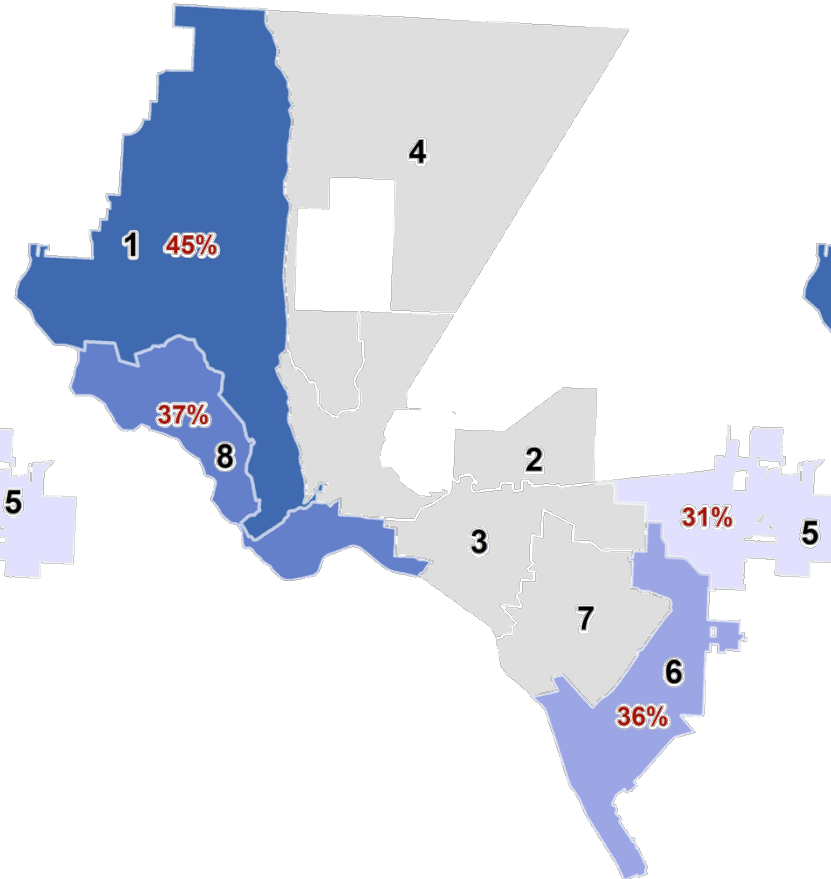
Note: Excludes runoffs.

# Voter Turnout (Apathy Proxy)

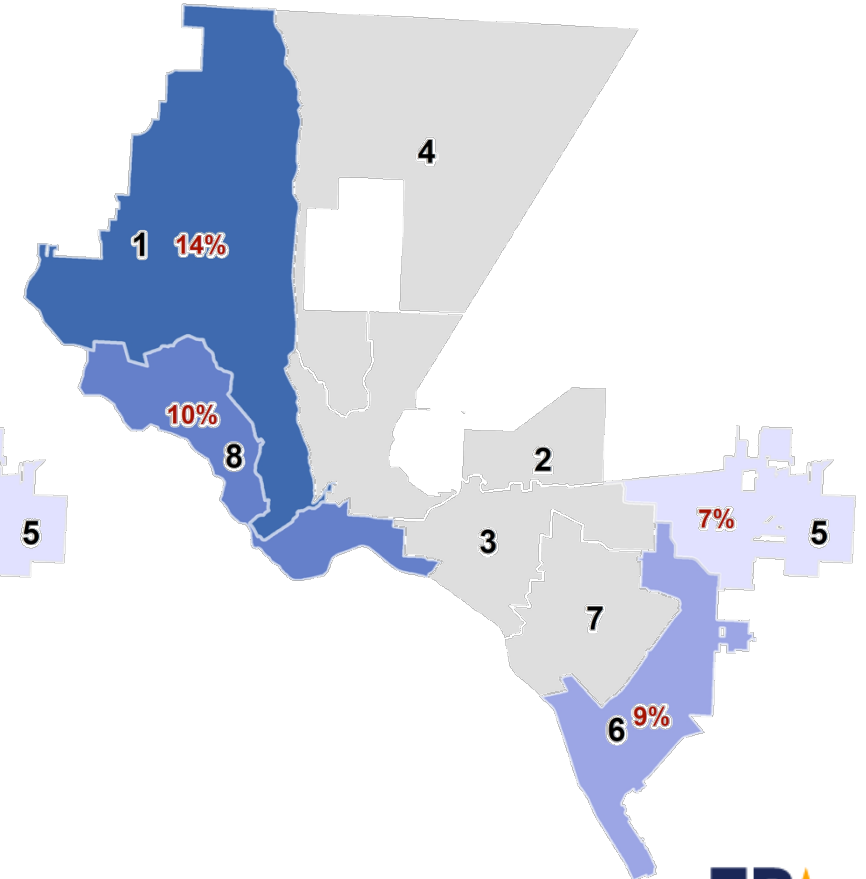
2022



2018

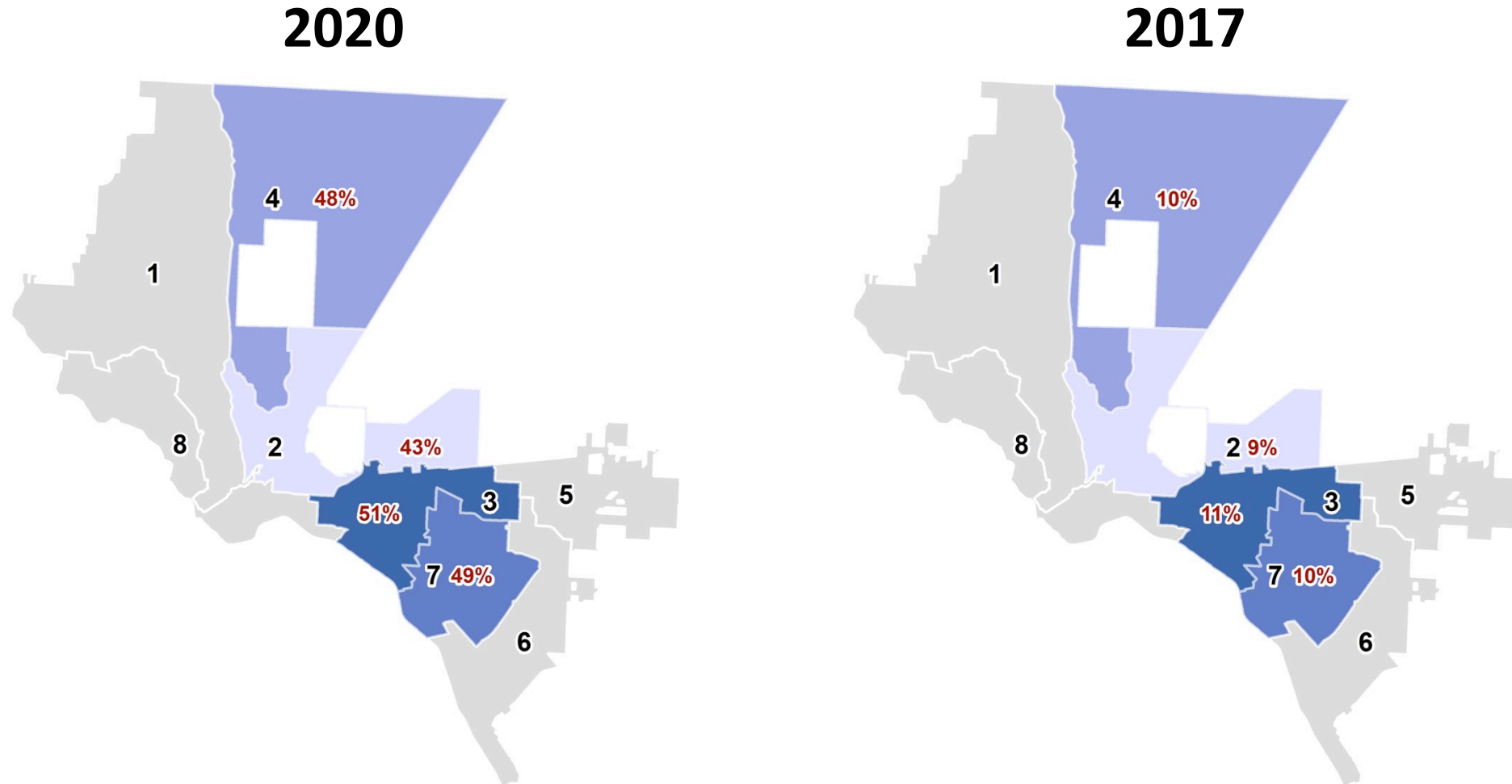


2015



**Moving election to November increased voter participation**

# Voter Turnout (Apathy Proxy)

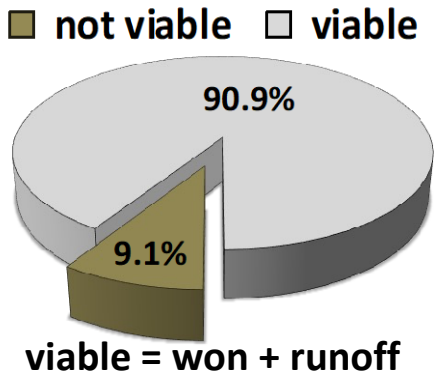
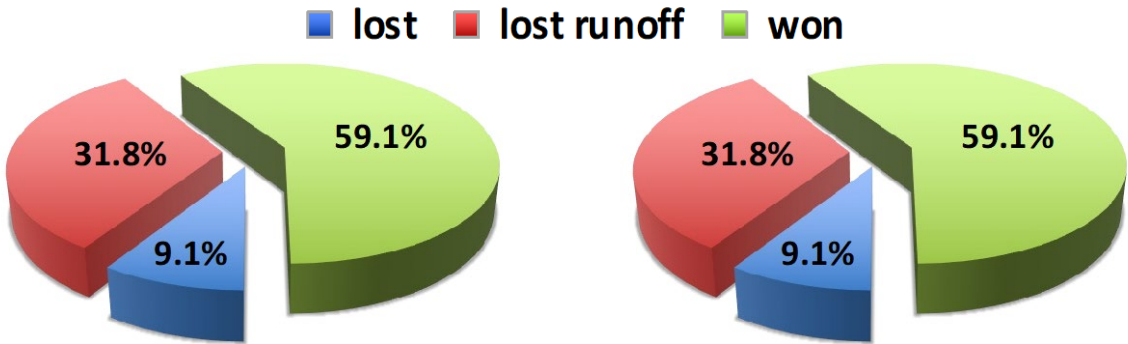


**Coincides with President and Mayor elections – higher turnout**

Notes: Percent of registered voters that voted for a district representative.

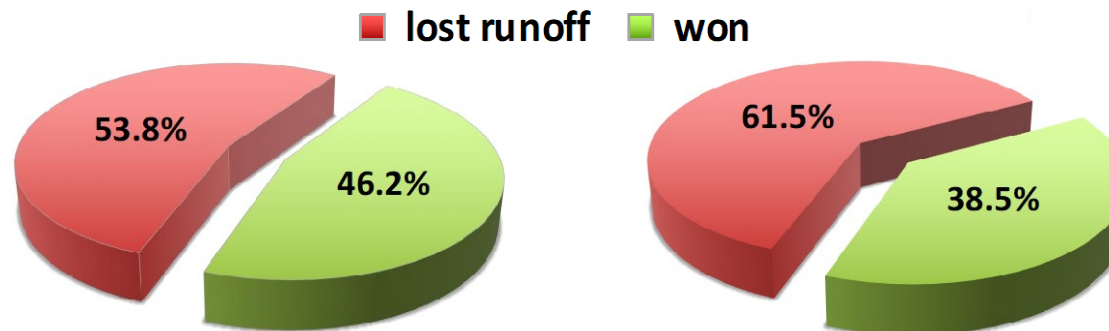
# General Election Results – 5 election cycles

		# of	Highest Expenditures		Highest Contributions		Highest Contributions	
		Candidates	lost	won	lost	won	not viable	viable
3 elections	District 1	17	1	2	2	1	1	2
	District 5	9	0	3	0	3	0	3
	District 6	8	0	3	1	2	0	3
	District 8	11	1	2	1	2	0	3
2 elections	Mayor	14	2	0	1	1	0	2
	District 2	9	1	1	1	1	0	2
	District 3	8	1	1	1	1	0	2
	District 4	9	2	0	1	1	0	2
	District 7	4	1	1	1	1	1	1
Total		89	9	13	9	13	2	20



# Runoff Election Results – 5 election cycles

			Highest Expenditures		Highest Contributions	
Runoffs			lost	won	lost	won
3 elections	District 1	6	0	3	1	2
	District 5	0	0	0	0	0
	District 6	2	1	0	1	0
	District 8	4	1	1	1	1
2 elections	Mayor	4	1	1	1	1
	District 2	4	1	1	2	0
	District 3	2	1	0	0	1
	District 4	4	2	0	2	0
	District 7	0	0	0	0	0
Total		26	7	6	8	5



# 2020 and 2022 Elections

# Expenses Viable/Not Viable Candidates

		Viable Candidate Expenditures		Not Viable Candidate Expenditures			
		Won	Lost Runoff	#	Mean	Min	Max
2022	District 1	\$96,972	\$68,995	4	\$1,157	\$250	\$3,479
	District 5	\$112,727		2	\$2,271	\$1,658	\$2,883
	District 6	\$36,266	\$21,515	2	\$2,645	\$350	\$4,939
	District 8	\$16,175	\$17,491	1	\$12,265		
2020	Mayor	\$279,001	\$397,312	3	\$52,537	\$3,214	\$78,583
	District 2	\$22,689	\$17,683	1	\$1,795		
	District 3	\$40,194		1	\$29,683		
	District 4	\$22,580	\$22,751	3	\$5,061	\$1,183	\$10,977
	District 7	\$37,561		1	\$13,068		

**15 not viable candidates had expenses under the \$20K threshold in public funds**

# Contributions Viable/Not Viable Candidates

		Viable Candidate Contributions		Not Viable Candidate Contributions			
		Won	Lost Runoff	#	Mean	Min	Max
2022	District 1	\$42,695	\$74,208	4	\$905	\$150	\$1,684
	District 5	\$112,959		2	\$4,134	\$0	\$8,267
	District 6	\$22,025	\$52,175	2	\$3,013	\$0	\$6,025
	District 8	\$5,578	\$21,940	1	\$14,102		
2020	Mayor	\$207,700	\$288,517	3	\$80,510	\$1,333	\$141,761
	District 2	\$35,597	\$19,100	1	\$0		
	District 3	\$42,666		1	\$35,320		
	District 4	\$27,712	\$27,246	3	\$12,852	\$4,933	\$27,381
	District 7	\$50,650		1	\$20,896		

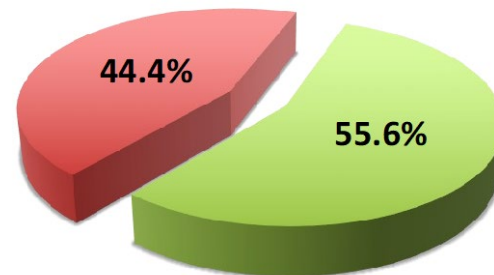
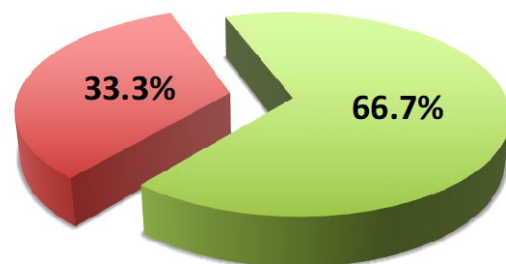
**14 not viable candidates had contributions under the \$20K threshold in public funds**



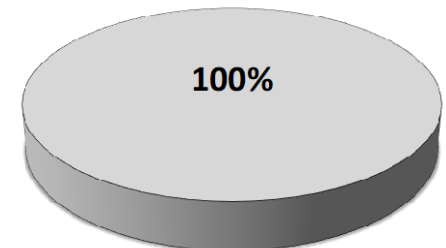
# General Election Results 2020-2022

		# of Candidates	Highest Expenditures		Highest Contributions		Highest Contributions	
			lost	won	lost	won	not viable	viable
2022	District 1	7	0	1	1	0	0	1
	District 5	3	0	1	0	1	0	1
	District 6	4	0	1	1	0	0	1
	District 8	4	1	0	1	0	0	1
2020	Mayor	6	1	0	1	0	0	1
	District 2	3	0	1	0	1	0	1
	District 3	3	0	1	0	1	0	1
	District 4	5	1	0	0	1	0	1
	District 7	2	0	1	0	1	0	1
Total		37	3	6	4	5	0	9

■ lost runoff ■ won



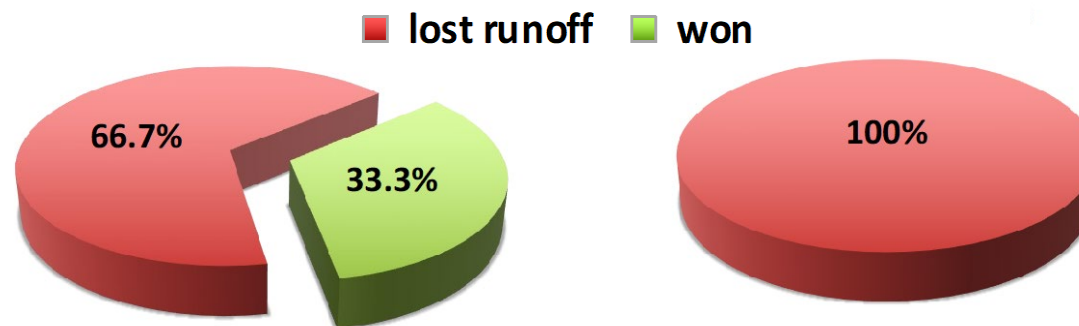
■ not viable ■ viable



viable = won + runoff

# Runoff Election Results 2020-2022

			Highest Expenditures		Highest Contributions	
Runoffs			lost	won	lost	won
2022	District 1	2	0	1	1	0
	District 5	0	0	0	0	0
	District 6	2	1	0	1	0
	District 8	2	1	0	1	0
2020	Mayor	2	1	0	1	0
	District 2	2	0	1	1	0
	District 3	0	0	0	0	0
	District 4	2	1	0	1	0
	District 7	0	0	0	0	0
Total		12	4	2	6	0



# Regression Analysis

Macro assessment using all available  
candidate information for 5 election cycles

# Models

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- Outcome candidate variables
  - 1) **% vote candidate received** (continuous)
  - 2) **won election** (0 = lost ; 1 = won)
  - 3) **viable candidate** (0 = lost ; 1 = won or runoff)
  - 4) **viable vote candidate** (0 = lost ; 1 =  $[1 \div n]$  votes) ( $n = \#$  candidates)
- Explanatory candidate variables
  - **incumbent, woman & highest total contributions** (0 = no ; 1 = yes)
  - **\$ contributions / loans / personal funds & apathy** (continuous)
- Models **clustered by district** w/ robust standard errors

# Regressions

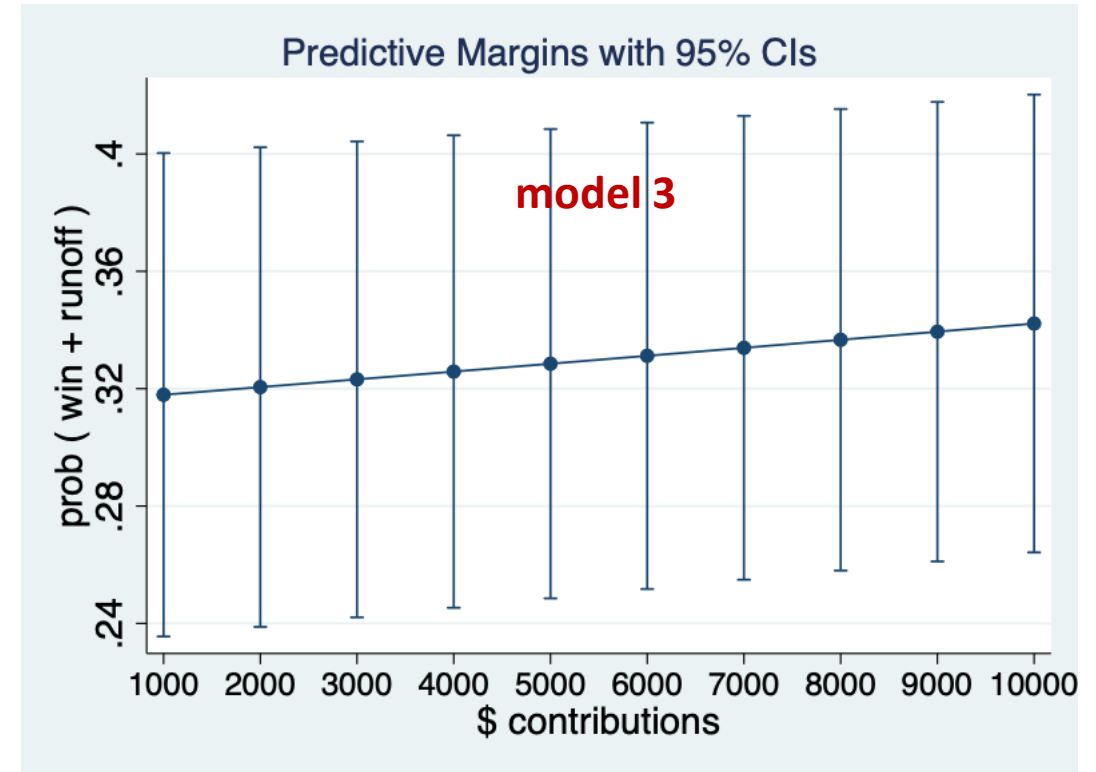
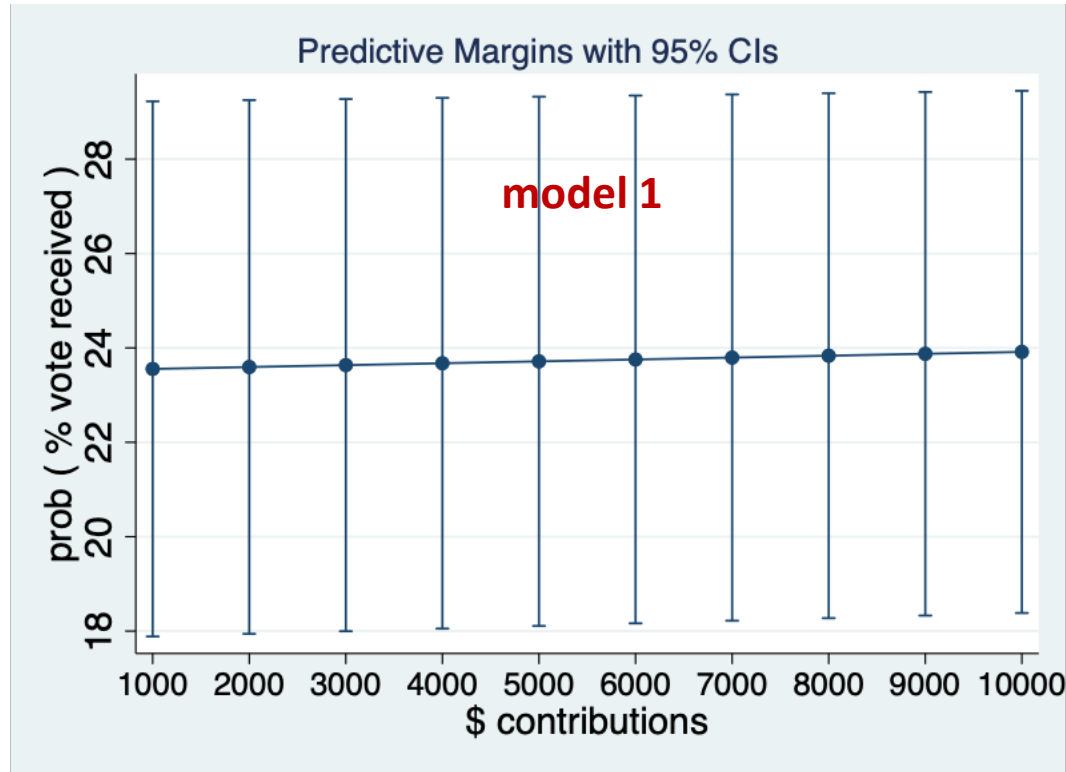
	linear model 1		logit model 2		logit model 3		logit model 4	
	% vote candidate received		won election		viable candidate (won + runoff)		viable vote candidate (reached 1/n of vote)	
	coef.	s.e.	odds ratio	s.e.	odds ratio	s.e.	odds ratio	s.e.
incumbent	<b>15.433</b>	5.133 **	5.039	5.919	9.791	15.399	1.000	(omitted)
woman	5.431	3.662	1.222	0.975	1.870	1.883	<b>4.233</b>	2.813 **
age	-0.163	0.120	0.961	0.030	0.994	0.022	1.000	0.024
contribution highest	<b>12.705</b>	4.373 **	2.941	2.603	<b>8.557</b>	8.935 **	8.061	11.096
contributions \$	<b>0.00004</b>	0.00002 **	<b>1.00001</b>	0.00001 *	<b>1.00002</b>	0.00001 ***	<b>1.00003</b>	0.00001 ***
loans \$	<b>0.00053</b>	0.00012 ***	<b>1.00007</b>	0.00003 **	1.00003	0.00003	1.00004	0.00004
personal funds \$	-0.00018	0.00013	<b>1.00016</b>	0.00010 *	<b>1.00024</b>	0.00009 ***	1.00012	0.00011
apathy (% voted in district rep election)	-0.081	0.095	0.978	0.016	<b>0.979</b>	0.010 **	<b>0.971</b>	0.017 *
constant	24.593	7.915 **	0.682	0.973	0.216	0.229	0.367	0.488
R <sup>2</sup>	0.508		0.321		0.443		0.278	
N = 89		district clusters = 9		*** p < .01		** p < 0.05		* p < 0.10

# Summary of Findings

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- Being an incumbent, voter apathy and receiving the highest total contributions matter
  - more turnout => more other candidates' chances improve.
- Additional dollar contributions, loans or personal funds are statistically associated to outcomes but lead to little change
  - candidate would have to receive 2 or 3 times more the averages to witness a change in results (and assume other candidates' funding does not change).
- **A combination of factors influence results.**

# Margins for Each Dollar of Contributions



- Additional \$ contributions show almost no change in the probability of reaching runoff (e.g., \$10K more would lead to about 0.5% increase in votes)

## **Deliverable 4**

# **Individual Contributions and Expenditure Limitations**



# Review of Proposition A – Contribution Limits

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**\$1,000.00  
limit**

Individual Contribution from any person.

Exception: Candidate, PACs, and other non-person entities

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**\$5,000.00  
limit**

Contributions or expenditures from candidate's own funds, including loans

---

**\$5,000.00  
limit**

Total aggregate contributions per candidate per election, from sources other than natural persons

---

**\$2,500.00  
limit**

Total aggregate contributions per candidate per runoff election, from sources other than natural persons

---

# Objectives

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**How would current data be affected if the proposed limitations were in place?**

**What would be the rate of noncompliance if the proposed limitations were in place?**

**Do the top contributors have an effect on the results?**

# Data Collection

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## Source: Campaign Finance Reports

---

15 "Viable Candidates": Runoff and Winners of the 2020 & 2022 elections

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Schedule A1: Monetary Political Contributions

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Schedule E: Loans (identified as personal contributions)

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Schedule G: Political Expenditures from Personal Funds

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# Summary of Observations

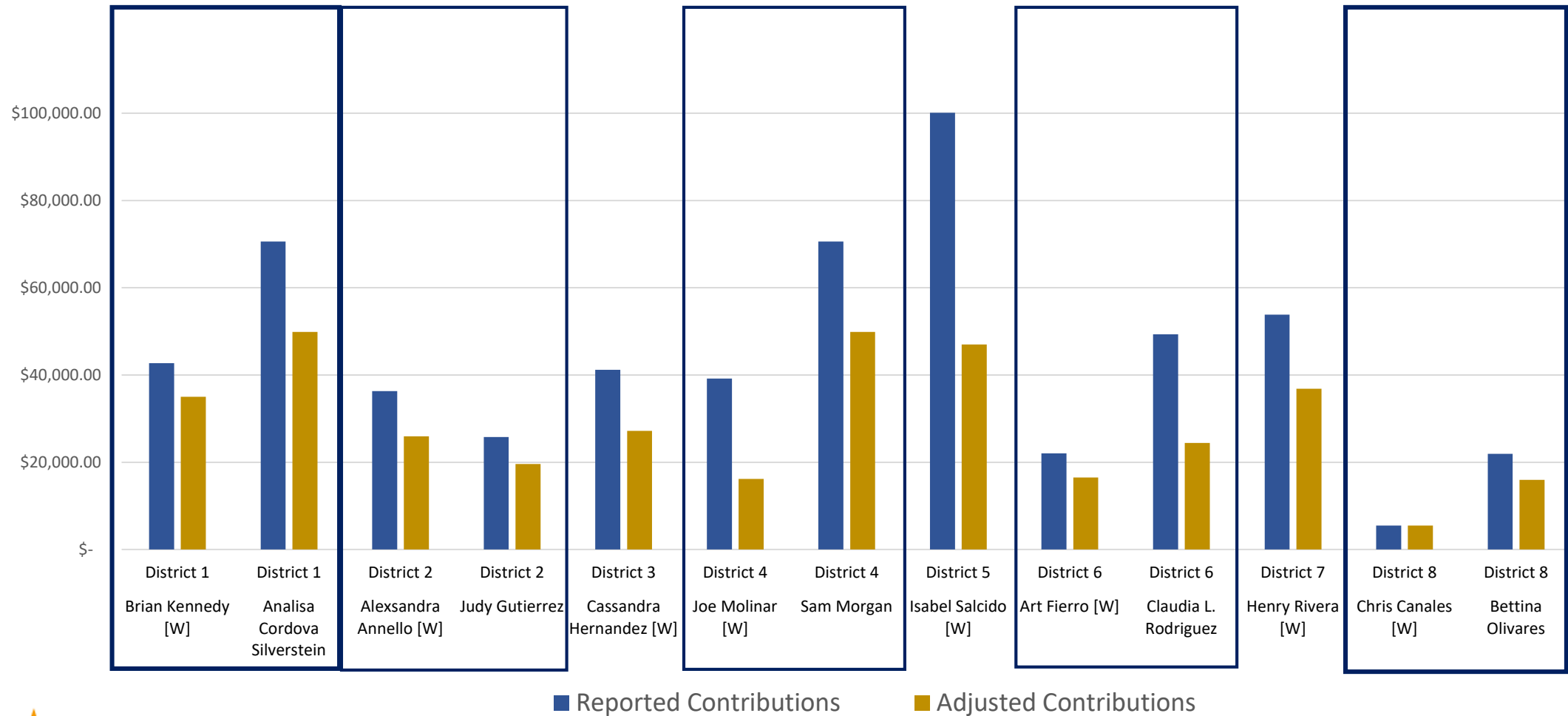
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**How would current data be affected if the proposed limitations were in place?**

- Contributions
  - General Election Cycle
    - Average: 32% loss
    - Max: 52% loss
    - Min: 20% loss (excluding 0% for single compliant candidate)
  - Runoff
    - Average: 44% loss
    - Max: 72% loss
    - Min: 20% loss (excluding 0% for single compliant candidate)

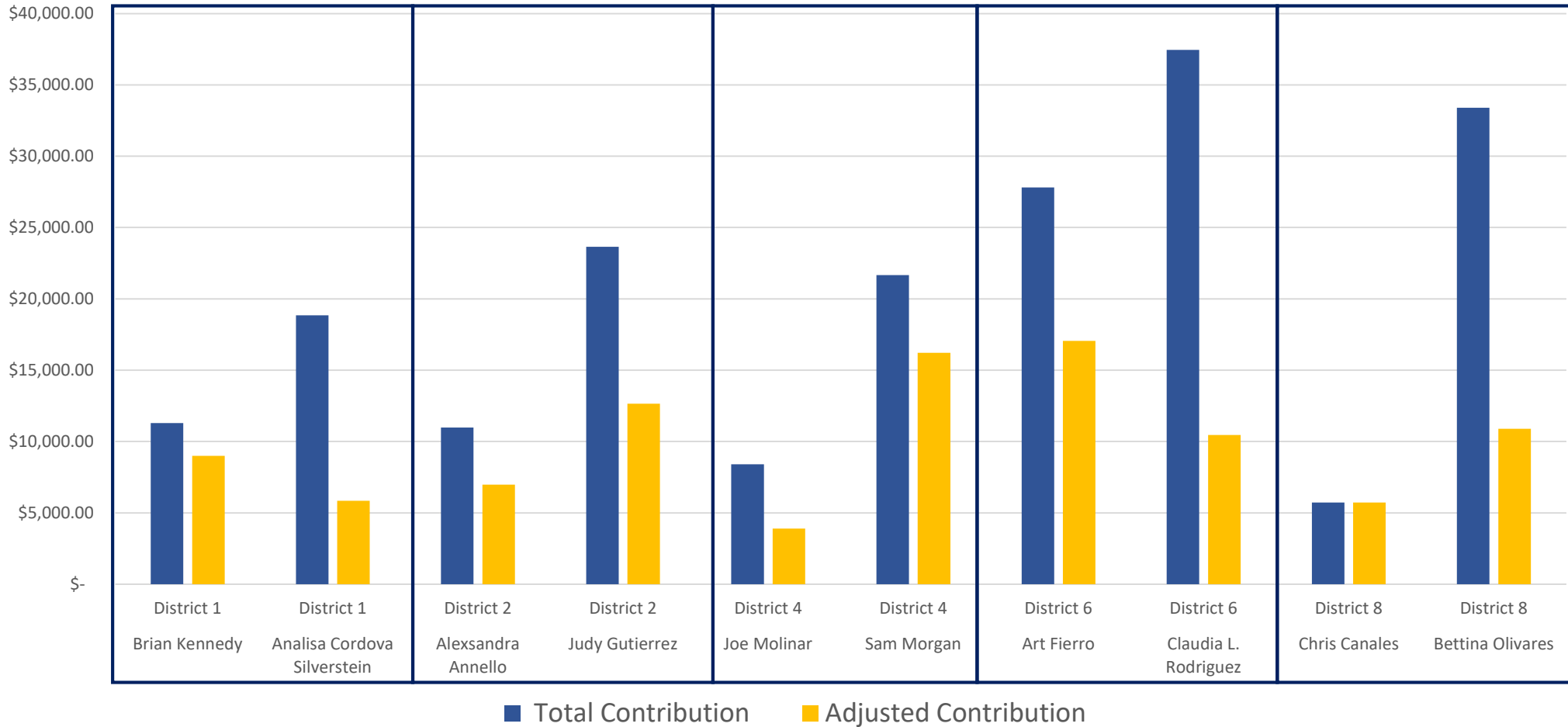
# Council Candidate Funding: 2020 & 2022

## General Election - Impact of Proposed Restrictions



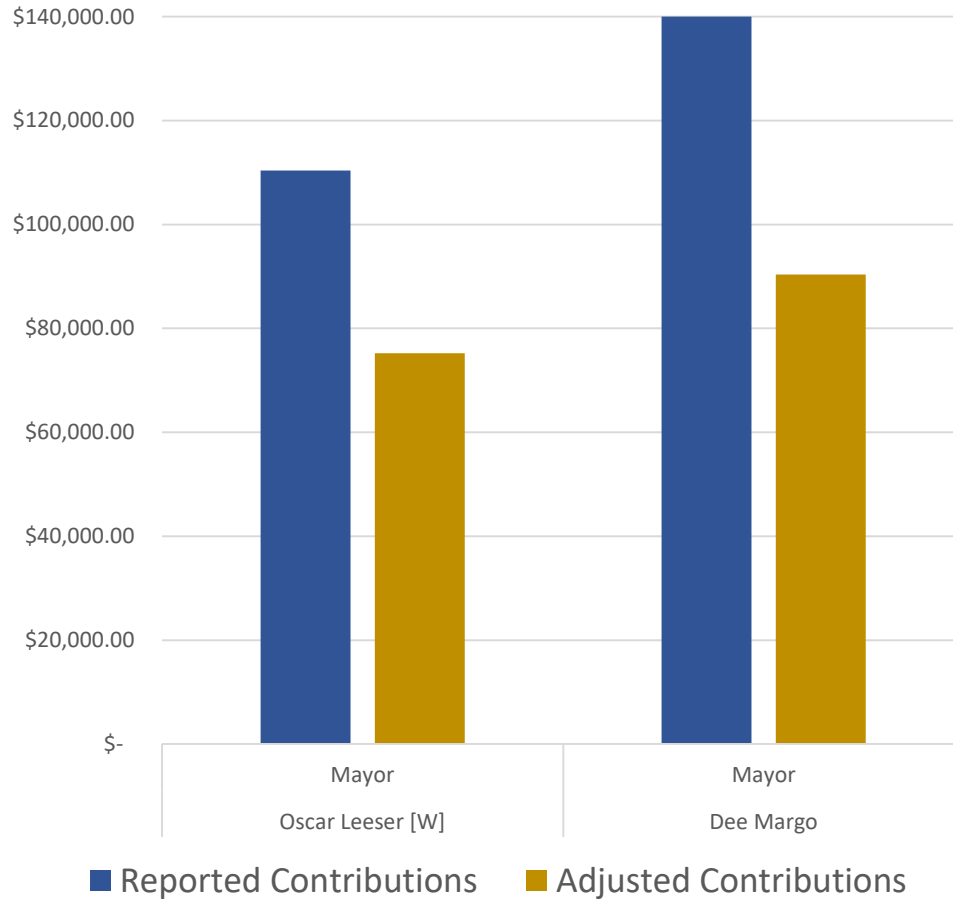
# Council Candidate Funding: 2020 & 2022

## Runoff - Impact of Proposed Restrictions

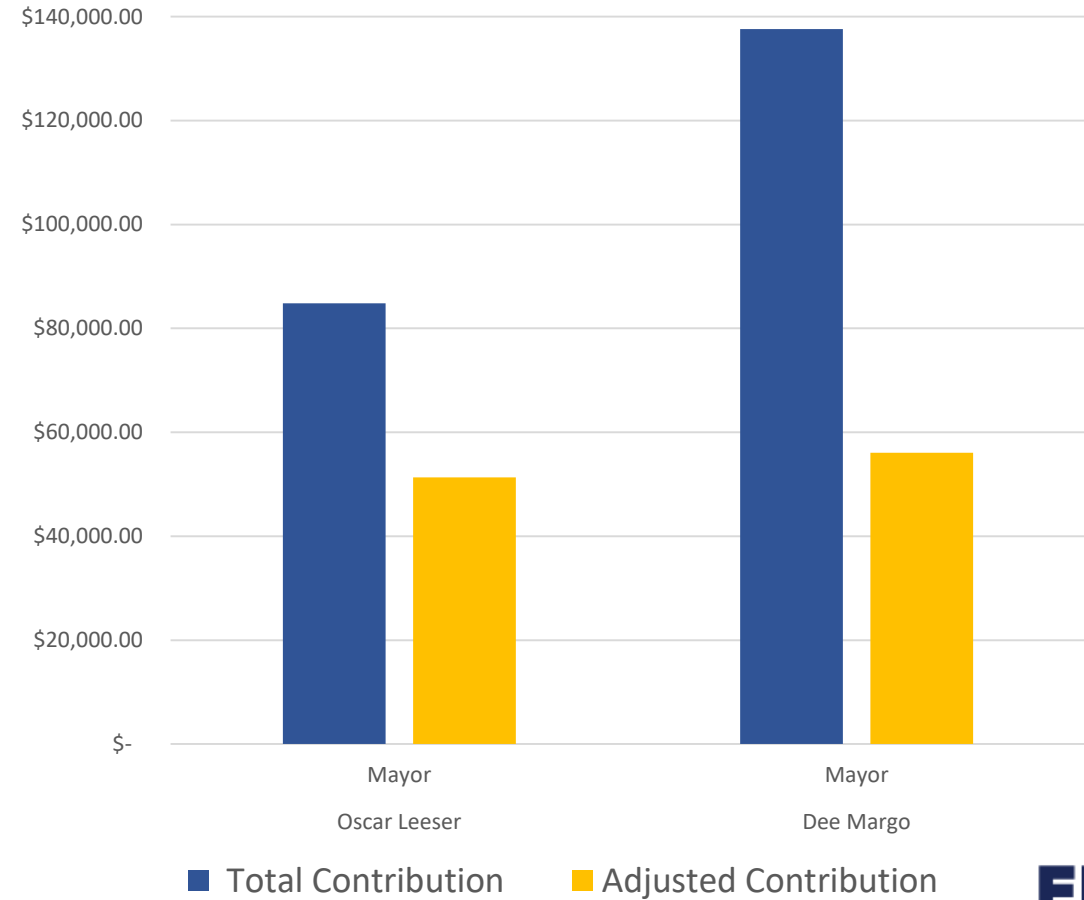


# 2020 Mayoral Candidate Funding

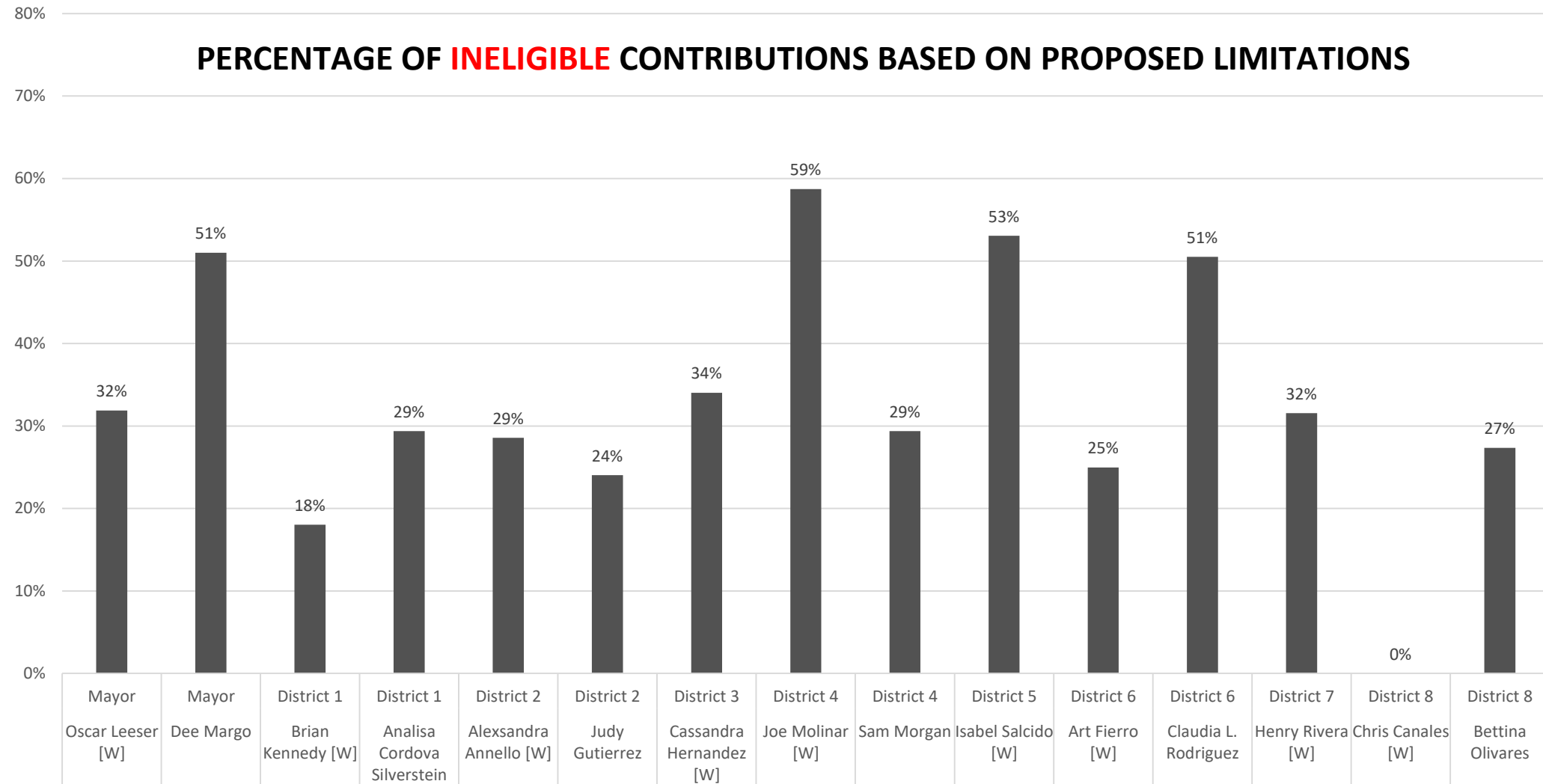
General Election - Impact of Proposed Restrictions



Runoff - Impact of Proposed Restrictions



# Impact on Council Candidate Funding 2020-2022





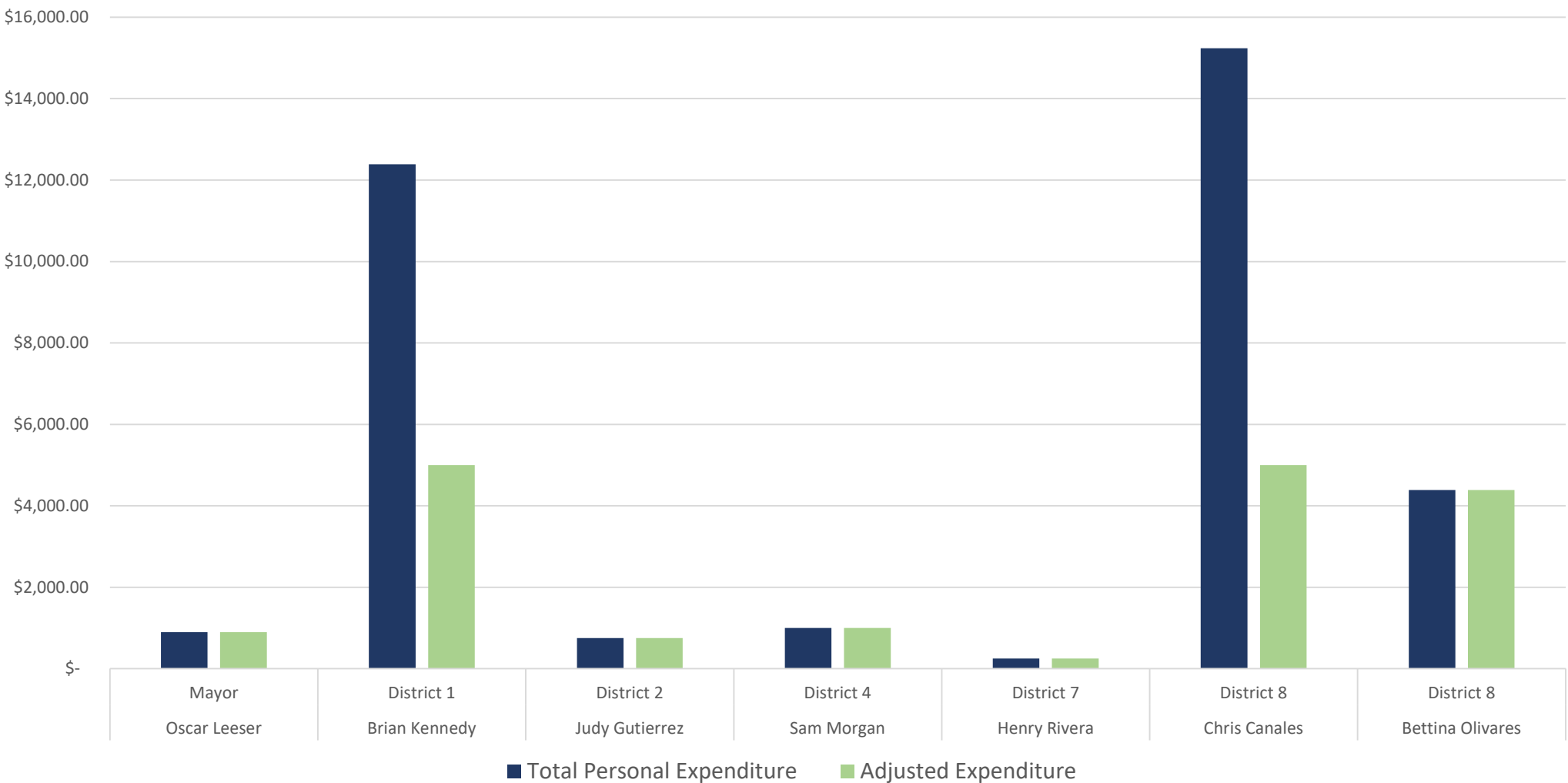
# Summary of Observations

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**How would current data be affected if the proposed limitations were in place?**

- Expenditures
  - 7 of 15 reported personal expenditures during the General Election Cycle
  - 2 of those 7 infringed on proposed limitations during the General Election Cycle
    - 67% loss
    - 60% loss
  - No infringement in the Runoff

# Council Candidate Personal Expenditures: 2020 & 2022



# Summary of Observations

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**What would be the rate of non-compliance if the proposed limitations were in place?**

- 100% non-compliance
- Every candidate reviewed surpassed the proposed limits
- Only candidate that did not surpass contribution limits, vastly surpassed personal expenditure limits

# Summary of Observations

---

**Do the top contributors have an effect on the results?**

- 39% Win Rate
- No correlation to advantage

# Top Contributors to Viable Candidates in 2020 and 2022 Elections

Contributor	Rank	Contribution	# Candidates Supported	Neutral	Win	Loss	Win Record
Woody and Gale Hunt	1	\$ 88,500.00	7	-	1	6	14%
Texas Association of Realtors PAC	*2	\$ 38,500.00	9	4	5	0	56%
Paul Foster	3	\$ 33,500.00	3	-	0	3	0%
Betty Ruth Wakefield Haley Living Trust	*4	\$ 25,000.00	1	-	0	1	0%
Stanley Jobe	5	\$ 24,000.00	9	-	4	5	44%
JP Bryan	6	\$ 23,500.00	4	2	2	0	50%
Frederick Francis	7	\$ 22,000.00	5	-	2	3	40%
J Kirk Robison	8	\$ 17,000.00	6	-	2	4	33%
El Paso Association of Fire Fighters Local 51 PAC	*9	\$ 16,000.00	5	-	3	2	60%
Maria Teran	10	\$ 14,500.00	7	-	3	4	43%
Totals			56	6	22	28	39%

\*Non-person entity

# Summary of Observations

---

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# Summary of Observations

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**What would be the rate of non-compliance if the proposed limitations were in place?**

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**Do the top contributors have an effect on the results?**

- 39% Win Rate
- No correlation to advantage

# Deliverable 5

Research and recommend enforcement processes and penalties to address violations of proposed ordinances.

City	Penalty	Enforcement
<b>Austin</b>	<ul style="list-style-type: none"><li>• Class C misdemeanor- \$500 per contribution</li></ul>	Through Court system. Candidate is responsible.
<b>San Antonio</b>	Civil Sanctions imposed by Ethics Review Board <ul style="list-style-type: none"><li>• Letter of notification, admonition or reprimand</li><li>• Referral to ethics training</li><li>• Civil Fine not to exceed \$500</li></ul>	<ul style="list-style-type: none"><li>• City Staff to notify of violation – 5 days to remedy</li><li>• Candidates who return contributions cannot be held liable for violation of this section</li></ul>
<b>Dallas</b>	<ul style="list-style-type: none"><li>• Fine not to exceed \$500</li></ul>	<ul style="list-style-type: none"><li>• Clerk may identify violation or receive complaint</li><li>• City attorney may file with Court</li></ul>



# Deliverable 5

Research and recommend enforcement processes and penalties to address violations of proposed ordinances.

City	Penalty	Enforcement
<b>Tucson</b>	<ul style="list-style-type: none"><li>• Misdemeanor charge</li><li>• Court shall conduct new trial, enforcement officer has the burden of proving violation</li></ul>	<ul style="list-style-type: none"><li>• 20 days to remedy after notice</li><li>• After 20 days, enforcement officer shall impose a penalty; may be appealed to the superior court within 30 days</li></ul>
<b>Albuquerque</b>	<ul style="list-style-type: none"><li>• Member of the public, Board or the City Clerk may on their own initiative initiate a charge.</li><li>• Ethics board may issue public reprimand, fine or do both.</li><li>• The Council may, after a hearing, order the suspension or removal, by two-thirds of the Councilors qualified to vote thereon.</li></ul>	<ul style="list-style-type: none"><li>• Corrective action within 10 days, not subject to penalty</li><li>• After 10 days, automatic fine and public reprimand</li></ul>

# Deliverable 6

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Research which type of funds are legal under the State law for public campaign fund financing.

- Texas constitution prohibits use of public funds for private purpose. Tex. Const. Art. III, Sec. 52.
- Texas Elections Code prohibits an officer from using public funds for political advertising. Tex. Elec. Code Ann. Sec. 255.003.
- Donations collected by the City to fund the political finance program may not be considered public dollars, however there would be a cost to administer

# Amendments (April 2023)

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## Proposition A - Campaign Finance Reform

The following proposition would apply to Mayoral and City Council races alike:

1. “General election cycle funds” are defined as any funds intended to be used/expended for a particular candidacy up to the date of the general election of that candidacy.
2. “Runoff cycle funds” are defined as any funds intended to be used/expended for a particular candidacy from the day after the general election and up to and including the date of the runoff election for that candidacy.
3. Contributions by an individual per candidate are capped at \$1,000 for general election cycle funds, to be adjusted for inflation.
4. Contributions by an individual per candidate are capped at \$1,000 for runoff election cycle funds, to be adjusted for inflation.

# Amendments - continued (April 2023)

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## Proposition A - Campaign Finance Reform

The following proposition would apply to Mayoral and City Council races alike:

5. Contributions by a Political Action Committee (PAC) per candidate are capped at \$5,000 for general election cycle funds, to be adjusted for inflation.
6. Contributions by a Political Action Committee (PAC) are capped at \$2,500 for runoff election cycle funds, to be adjusted for inflation.
7. Candidates are not limited in the total amount they can contribute to their campaigns.



## Mission

Deliver exceptional services to support a high quality of life and place for our community



## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



## Values

Integrity, Respect, Excellence,  
Accountability, People



## Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad



## Visión

Desarrollar una economía regional vibrante, vecindarios seguros y hermosos y oportunidades recreativas, culturales y educativas excepcionales impulsadas por un gobierno de alto desempeño



## Valores

Integridad, Respeto, Excelencia, Responsabilidad, Personas