

Financing of Election Campaigns

**Ethics Review Commission Meeting
October 30, 2023**

TIMELINE

August 4, 2022	Initiative Petition submitted to the City Clerk's Office by Justicia Fronteriza with three propositions to change legislation for Campaign Financing
October 11, 2022	Public hearing of the three propositions provided by verified initiative petition
December 5, 2022	Cross Functional Team presented during the City Council Work Session
March 15, 2023	Staff met with Ms. Veronica Carbajal, president of Justicia Fronteriza for an update of the CFT progress.
June 5, 2023	Cross Functional Team presented findings to Stakeholders
August 14, 2023	Cross Functional Team presented during the City Council Work Session

WORK SESSION – AUGUST 14, 2023

METRICS

5 Elections Cycles Reviewed– CFRs and County election archives

2015 – 2022 Campaign Contributions and Expenditures totals

Descriptive statistics and regression analysis

2020-2022 campaign contributions of runoff candidates and winners were reviewed for individual contributions

LEGAL REVIEW

U.S. Constitutional Protections – 1st Amendment
Freedom of Association

Campaign Contribution Limits must be justified to
protect against corruption – caselaw provides test

Limits must allow campaigns to remain viable

WORK SESSION – AUGUST 14, 2023

SUMMARY

Five cities were **benchmarked** with some similarities to El Paso.

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

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

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

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

Prop C - Ranked choice voting has not been adopted by the State of Texas.

COUNCIL DIRECTION

- ❖ Directed the City Manager and City Attorney to return in eight weeks
 - updates regarding campaign contribution limits
 - provide proposals that will address concerns related to campaign contributions after elections occur.

TIMELINE (cont.)

September 25, 2023

City Council was briefed in Executive Session on Campaign Contributions Regulations.

NO ACTION was taken on this item

October 10, 2023

Cross Functional Team presented an update to City Council based on the direction provided on August 14, 2023.

REGULAR CITY COUNCIL MEETING – OCTOBER 10, 2023

METRICS

2020 and 2022 Election Cycles were reviewed

37 total candidates, 6 reported no contributions

Campaign Finance Reports – A1

New data points captured/referenced to filter duplicates

Multiple contributions by person or non-person were aggregated

Data from semiannual reports post-election was **NOT** captured

REGULAR CITY COUNCIL MEETING – OCTOBER 10, 2023

SUMMARY

Analyzed total dollar contributions and candidates with top contributions by district

Replicated concept of dependency on high contributing donors

Being an incumbent and voter turnout matter

Additional contributions are statistically associated with outcomes but lead to little change

LEGAL REVIEW

Recommended additional disclosures regarding campaign contributions and donations to members of council to enhance transparency

COUNCIL DIRECTION

- ❖ Directed staff to return in 10 weeks
 - with proposed amendments to the Ethics Code reflecting recommendations
 - include a reporting trigger value of \$500 for aggregate amounts of contribution/donations received by a Council member
 - reporting timeframe begins once an appointment of a Campaign Treasurer is filed in the City Clerk's Office.

PROPOSED AMENDMENTS TO THE ETHICS ORDINANCE