

# Complaint against Hanna Cofer

## Conflict of Interest and Recusal

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# Non-profits

- Goals and missions aren't financial
- Conflicts of interest are not direct
- If a commissioner represents a non-profits, a vote benefiting the non-profit presents the appearance of impropriety

# Background

- Zilker Park Vision Plan is plan for guide park restoration and development for the next 50 years
- Planning process began February 2021
- Parks Department and consultant (Design Workshop) were to conduct public engagement
- 16 stakeholder organizations (including park concession operators) formed Zilker **Collective** Impact Working Group

# Zilker **Collective** Impact Working Group

- Collective members advocated for Vision Plan items benefiting their individual organizations
  - ▶ parking garages
  - ▶ the land bridge
  - ▶ the new hillside theater
  - ▶ new bridges over ladybird lake and Barton creek, and
  - ▶ a new welcome center.
- **Nonprofit partnership to steward Zilker Park**  
Never revealed during two years of public engagement

## Parks Department uses non-profit public partnerships

- There are a number of nonprofits with city contracts to operate in public parks
- Full partners have the opportunity to realize earned revenue from operating and administering concessions, charging fees for programming and special events, and other revenue opportunities.
- These are considered “A” level partnerships.
- Nonprofits under the partnership A designation are to be reviewed annually by the parks director. A review is to include a conflict of interest policy, and disclosure to the public of the three most recently filed annual returns with the IRS.

## Hanna Cofer – COO of the Trail Conservancy

- The Trail Conservancy is a level "A" partner and is a party to Zilker Park Vision Plan
- Trail Conservancy was a member of the Collective and a founding member of Zilker351, the CEO, Heidi Anderson, is on the Zilker351 board of directors
- Her father, George Cofer was a collaborator in the Collective on behalf of the Hill Country Conservancy, a founding member of Zilker351
- Her husband, James Russell is the event manager of the ABC Kite Festival, and represented them in the Collective and the Zilker351 Advisory Board. Mr Russell is also listed on the Zilker351 website as having represented the Umlauf Sculpture Garden + Museum, where he is chair. This is in addition to his role as Executive Director of the Trail of Lights Foundation, which he also represented in the Collective and on the Zilker351 Advisory Board

## § 2-7-63 - PROHIBITION ON CONFLICT OF INTEREST

- (A) A City official or employee may not participate in a vote or decision on a matter affecting a natural person, entity, or property in which the official or employee has a substantial interest; provided, however, that this provision shall not prohibit any member of the city council from participating in a discussion relating to a petition certified to the city council by the city clerk which petition seeks the recall of said member of the city council.
- (B) A City official or employee who serves as a corporate officer or member of the board of directors of a nonprofit entity may not participate in a vote or decision regarding funding by or through the City for the entity.

# Hanna Cofer is a member of the Environmental Commission

- April 5, 2023 – Discussion and possible action on the ecological recommendations in the Draft Zilker Park Vision Plan
- Hanna Cofer participated in the discussion and vote in violation of § 2-7-63



- There are reasonable grounds to believe that a violation within the jurisdiction of the commission has occurred
- A decision to conduct a final hearing is not a finding that a violation has occurred
- The commission should use its subpoena power to look into Ms. Cofer's financial ties, including the required public statement of financial information for Ms Cofer under city code 2-7-75 .
- At a full hearing I'm prepared to submit evidence that Ms Cofer, her husband, James Russell, and her father, George Cofer were apprised of the internal workings and active participants in the Collective, now Zilker351.
- This case deserves a final hearing with a full commission

Thank you! I'm happy to answer questions.