

Late Backup

**The Mayor's Better Austin Foundation  
and  
Mayor Adler's Community Cabinet Program**

Hem 86  
late backup

## **Background**

### **The Foundation:**

In 2000, Mayor Kirk Watson created the Mayor's Better Austin Foundation, Inc. ("Foundation"), a 501(c)(3) nonprofit corporation for the purpose of obtaining donations to benefit the long-term goals of the City of Austin by generally supporting activities. For almost fifteen years, this Foundation has funded public initiatives for the mayor's office, such as the recent Mayor's Task Force on Aging. In 2013, the City of Austin received contributions from the Foundation to support two programs: The Mayor's Task Force on Aging and The City of Austin Veterans' Summit Hosted by the Mayor and Texas Veterans Commission in Austin in February 2013.

The sitting Mayor, authorized to appoint a Board of Directors for the Foundation, is appointing District Judge Darlene Byrne, and community leaders Cookie Ruiz and Kerry Tate, who is a holdover from the current Board. The new Directors replace outgoing Directors Senator Kirk Watson and Jim Cousar, local attorney, and the new Directors have since voted to strengthen the Foundation bylaws based on input from a respected Austin attorney specializing in ethics, Fred Lewis. The goal is to provide the highest level of transparency, ethics and accountability.

### **The purpose of the Mayor's Better Austin Foundation:**

*The Corporation shall support and benefit goals, public purposes and objectives of the City of Austin by, among other things and without limitation, soliciting, receiving, holding, reviewing and evaluating donations to prevent conflicts of interest, investing and managing gifts, grants, donations, and bequests (collectively "donations"), to provide additional capacity, advisors, volunteers and staffing to the city and by hosting, sponsoring and encouraging city activities, programs and initiatives. All donations and their handling shall comply with the provisions of these bylaws to prevent conflicts of interest and to provide transparency and public accountability.*

(the Foundation's bylaws are attached as Exhibit A)

## **Precedent:**

### **Non-Taxpayer funded tools used in other cities (Mayors and Councils)**

There is precedent in other American cities of this type of work being implemented successfully. Los Angeles created the Mayor's Fund for Los Angeles to engage in charitable and educational activities by

# **The Mayor's Better Austin Foundation and Mayor Adler's Community Cabinet Program**

bringing experts from across the city together to create partnerships to transform the city. The Mayor's Fund to Advance New York City relies on individuals, foundations, and corporations to support public programs. Additionally, many cities are applying for grants and partnering with foundations sponsoring city programs including: the Bloomberg Philanthropies, the Kaufman Foundation, the Knight Foundation, the MacArthur Foundation and the Rockefeller Foundation. Some foundations fund city initiatives nationwide, while others are city-specific.

## **FUNCTION**

### **Transparent and Increased Support for the City of Austin:**

The Mayor intends to tap the Community Cabinet to serve the city at no salary costs to the City of Austin and its taxpayers. **The purpose is to help the city find long-term solutions for vital issues, worthy of public support.**

The plan calls for the Foundation to both employ and/or contract with Community Cabinet members who then donate their part-time and/or full-time services to the City of Austin. The service of these individuals is "granted" to the City by the Foundation and at no salary or benefits costs to taxpayers.

Community Cabinet members may be paid by the Foundation or choose to donate their time. (See Exhibits B and C for a list of members and their brief biographical summaries).

Whether serving as volunteers, aides or interns with the city government, Community Cabinet members must agree, and will be held to, the highest standards aligned to the City's Conflict of Interest and Recusal policies. Each will file a financial disclosure statement required of city management staff. This may well be the first time in Austin's history that such rules and disclosures have been demanded and provided by governmental volunteers, loaned aides or interns.

The Foundation's trustees will review all donations to this effort to ensure they are made from persons or entities with no conflicting interests. In order to prevent conflicts of interest, the Foundation will not accept donations from any of these sources:

- 1) Lobbyists or their firms that lobby the City of Austin;
- 2) Entities, and their principals with 5% or greater financial interest, who have pending, or have received in the preceding 12 months, a discretionary, non-competitively bid professional contract with the City of Austin;
- 3) Individuals, entities, and the entities' officers, directors and owners of 5% or greater interest, that have interests in real property, with currently pending zoning matters before the City of Austin, or within the prior 6 months; and,

# **The Mayor's Better Austin Foundation and Mayor Adler's Community Cabinet Program**

- 4) Persons and their attorney and firms, that have pending litigation against the City of Austin, or active litigation within the preceding 6 months.

## **PURPOSE:**

The need for focused attention to long-term policy decisions aimed at Austin's most pressing issues is obvious. A budget to support the work to generate policy proposals is not. The current budget is not designed to address both short-term demands and critical long-term policy planning. The Mayor's Community Cabinet program is in response to balance those urgent short-term matters—which can dominate and drain resources quickly—against strategic long-term policy objectives.

The rationale to seek additional help for Mayor Adler's commitment to progress in policy-making is two-fold: One, there are new and expanded duties expected as Austin's new governance structure takes full form. The Mayor now serves as the only at-large member of the Council, and that means keeping a citywide focus on current major issues as well as day-to-day reaction and response to events in the city. This requires expertise, discipline and a wide range of diverse thought. Second, the current structure and level of staffing is no longer adequate to make progress on these major issues while continuing to provide a high level of support for the important day-to-day needs of the constituents.

Simply stated, Mayor Adler believes budget constraints and outdated structures will not excuse postponing strategic policy initiatives and faithfulness to constituent outreach. He believes this is especially true on high priority issues of traffic, affordability and our looming water crisis.

In response, the current mayor is choosing to draw on the existing Mayor's Better Austin Foundation and its ability to assist the City with programming and staffing to bring senior level talent from all areas of Austin who are committed to this collaborative work on major issues. This new Mayor's Community Cabinet program is a way to tap into a diverse talent pool of civic-minded thought leaders drawn from public, private and non-profit sectors with experience in education, neighborhoods, health and human services, environment, business, and urban land use.

The Mayor's Community Cabinet intends to move forward on Austin's major issues through:

- Major policy development;
- Offer time-critical issue analysis and response to the City
- Provide additional support to Council Members and the Council Committees to help the new "10-ONE" governance structure be successful;
- Support the goal to communicate, convene and engage the Austin community in more meaningful ways;
- Promote listening and responding to constituents on strategic policy and initiatives;

**The Mayor's Better Austin Foundation  
and  
Mayor Adler's Community Cabinet Program**

- Help foster a culture of a highly-effective working relationship between the people of Austin, the City Council, Mayor and City Manager

**SUMMARY**

This is a unique moment in Austin's history. We have the opportunity to tackle large and complex issues facing us as we continue our spectacular growth.

Voters have made known through the most recent elections that they desire change and forward-thinking action. The city of Austin is at a tipping point. The Mayor's Community Cabinet seeks to help Austin find its way through these challenges and opportunities with the highest levels of transparency, accountability, ethics, and optimism for the continued success of our city.