

# PARK FOUNDATION

The Honorable Rich John  
Chairman  
Tompkins County Ethics Advisory Board  
Governor Daniel D. Tompkins Building  
121 East Court Street, 2<sup>nd</sup> Floor  
Ithaca, NY 14850

July 15, 2022

Re: Ethics Investigation (Complaint of Cynthia L. Brock)

Dear Chairman John:

Thank you for your recent correspondence from the Tompkins County Ethics Advisory Board. Please note below your questions restated in Bold and Park Foundation responses to each inquiry:

**1. What is the charitable purpose of the Foundation?**

The Foundation is a nonprofit corporation organized exclusively for charitable, scientific, religious, literary or educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code: to conduct and sponsor educational and instructional activities; to make grants and awards to individuals and organizations for charitable, educational, scientific, religious, or literary purposes; to prevent cruelty to children or animals; and to engage in any lawful acts or activities related to the foregoing which are consistent with the provisions of Section 501(c)(3) of the Code.

**2. Prior to June 2020, had the Foundation ever awarded, contributed, donated, endowed, funded, granted, or provided any financial support to the City of Ithaca? If so, please provide the dates of the award, contribution, funding or financial support and purpose thereof.**

Please see attached Excel Chart 1.

**3. Prior to June 2020, had the Foundation ever awarded, contributed, donated, endowed, funded, granted or otherwise provided financial support to any non-IRS approved 501(c) individual, entity or organization?**

No.

**4. Between June 2020 and May 2022, did any official, employee, or representative of the City of Ithaca approach, contact, request or solicit any award, contribution, donation, endowment, funding, grant or other financial support from the Foundation? If so, please provide the following:**

*Park Foundation Inc. 140 Seneca Way, Suite 100 Ithaca, New York 14850*

*Tel: 607/272-9124 Fax: 607/272-6057*

*www.parkfoundation.org*

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- a. The name of the City official(s), employee(s), funding, grant or other financial support was provided by the Foundation, the amount(s) and date(s) thereof.
  - b. The date(s) of contact;
  - c. The stated purpose of the award, contribution, etc.
  - d. If any written application or request was submitted, please provide a copy; and,
  - e. If any award, contribution, endowment, funding, grant or other financial support was provided by the Foundation, the amount and date(s) thereof.
5. Between June 2020 and March 2022, did the Foundation offer to provide any award, contribution, donation, endowment, funding, grant, or other financial support to the City of Ithaca or any City Program? If so, please provide the following:
- a. The name of the Foundation director(s), officer(s), or employee(s) who made the offer;
  - b. The names of all city officials or employees contacted;
  - c. The date of contact;
  - d. The reason(s) for offer;
  - e. If the offer was ever made or reduced to writing, including those digitally or electronically created, transmitted or stored, please provide copies;
  - f. The amount(s) provided; and
  - g. The dates of the awards, contributions, etc.

Answer to 4 & 5:

Park Foundation met (often virtually due to the pandemic) with several City employees during this period on an array of topics.

To the best of our knowledge, City employees Park Foundation met with between June 2020 and May 2022 include: Hon. Svante Myrick, Former Mayor; Hon. Laura Lewis, Acting Mayor; Luis Aguirre-Torres, Sustainability Director; Elizabeth Klohmann, Director, Ithaca Youth Bureau; Schelley Michell Nunn, Director of Human Resources; Lisa Nicholas, Acting Planning Director; Leslyn Mcbean-Clairborne, GIAC Director, City of Ithaca; Aniza Mendizabal, Community Development Planner, Ithaca Urban Renewal Agency; Nick Goldsmith, Sustainability Coordinator/Planner, City/town of Ithaca; Roxy Johnston, City of Ithaca Water Department.

Meetings with the former Mayor and current Acting Mayor were initiated by Park Foundation as an opportunity to meet me as the newly hired Park Executive Director. I joined Park Foundation in November of 2020. When the City Sustainability Director was hired in March 2021, Park Foundation also reached out to welcome him and connect.

Considering the range of programs we support (Excel Chart 1&2), and the frequency of interaction with the mosaic of city and community partners and grantees we engage with on a regular basis, we do not specifically track who initiates contact. Beyond a series of meet and greets scheduled with the new Executive Director, we do not generally note if meetings are educational in nature or specific to a particular program. We often ask about current work,

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trends, and how we can help or partner with them. If a grant proposal is received, it is then reviewed and considered by the Foundation Trustees. Many of the meetings in this time frame are related to ongoing support reflected in attached Charts. Park Foundation does not share our prospective or current grantee applications or related documents. As the guidelines on our website clearly state: "Park Foundation considers proposals a confidential communication..." Between June 2020 and May 2022, numerous meetings occurred with a variety of city officials on many different topics.

**6. All amounts awarded, contributed, donated, endowed, funded or granted to the City of Ithaca or any City program between June 2020 and March 2022.**

Please see attached Excel Chart 2.

**7. Were there any terms, conditions, contingencies, limitations, prerequisites, or restrictions on the use of any award, contribution, donation, endowment, grant or other funding provided by the Foundation to the City? If so, please describe.**

As required by Section 501(c)(3) of the Internal Revenue Code, all support provided to grantees by the Foundation is solely for educational, scientific, or charitable purposes. Each grant is restricted to its purpose and may be modified only with the Foundation's advance approval.

No grant funds may be used for purposes of influencing elections or conducting voter registration drives, and no grant funds have been earmarked for either of those purposes. No grantee can expend any part of the grant in any way that violates federal or state law or subjects the Foundation to any penalty or loss of tax-exempt status under the federal tax law or other laws governing the use of charitable funds. If this is a project grant, no portion of the Foundation's grant funds may be used for the purpose of influencing legislation. If this is a general support or operating support grant, the IRS limitations on expenditures for the purpose of influencing legislation apply.

**8. Please provide any other information or materials you believe would assist the board in its investigation.**

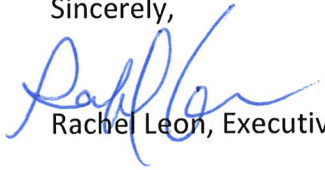
Much of the information appearing in public on this matter has focused on the process concerning formation of the working group and public participation in the Re-Imagining process conducted in Ithaca.

As you are aware, the impetus for this process originated from Executive Order 203 from former NYS Governor Andrew Cuomo requiring local governments across NYS to undertake a comprehensive review of strategies, policies and practices relating to policing "for purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness and legitimacy, and to address any racial bias and disproportionate policing of communities of color (E.O. 203)."

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Park Foundation made no grants to the City for this effort. We did provide grant funds to the Center for Transformative Action (CTA), the fiscal sponsor for the Dorothy Cotton Institute (DCI), for project support after receiving a grant proposal that focused on ensuring that input of those directly impacted by the Re-Imagining process would be included in the planning per the governor's executive order. The purpose for our support to CTA was to help ensure that communities often left out and underrepresented as emphasized by the Governor were not left out in this process. While providing stipends to participants in projects like this is considered a best practice, Park Foundation did not provide stipends to particular people engaged in the Re-Imagining process. No one at the Park Foundation had any part in selecting the participants or in providing any input in the process. Our grant funds were intended to provide operating support that would enable some compensation to be paid to participants and thereby encourage full community participation. We trust this added value to the plan.

Sincerely,



Rachel Leon, Executive Director

**Excel Chart 1 - Grants made to the City of Ithaca prior to 2020**

Note that there are likely to have been earlier grants but our electronic database does not extend that far back. Further research can be conducted on request.

		Approval Date	Org. Name	Purpose	Grant Amount
		6/12/20	City of Ithaca	The Engage Initiative - Youth engagement and Development	\$ 45,000.00
		8/19/19	City of Ithaca	Bring Center for Performance and Civic Practice to City of Ithaca	\$ 5,000.00
		3/22/19	City of Ithaca	The Engage Initiative	\$ 35,000.00
		3/8/18	City of Ithaca	The Engage Initiative	\$ 35,000.00
		3/14/17	Town/City of Ithaca	Ithaca Municipal Sustainability Collaboration	\$ 35,000.00
		9/13/17	City of Ithaca	The Engage Initiative	\$ 35,000.00
		9/21/16	City of Ithaca	The Engage Initiative	\$ 35,000.00
		6/9/16	City of Ithaca	Building for Energy Efficiency: Developing New-Construction Standards for Ithaca	\$ 51,970.00
		9/17/15	City of Ithaca	Youth Engagement Programs	\$ 35,000.00
		9/17/14	City of Ithaca	Mentoring and Youth Leadership Programs for Secondary Students	\$ 20,000.00
		9/17/14	City of Ithaca	Ithaca Youth Bureau's Recreation Department Scholarship Fund (ECHO)	\$ 15,000.00
		7/18/14	City of Ithaca	Body Cameras for Police Officers	\$ 19,560.00
		12/5/13	Town/City of Ithaca	Town and City of Ithaca Sustainability Plan Implementation	\$ 100,000.00
		9/27/13	City of Ithaca	Ithaca Youth Bureau's Recreation Department Scholarship Fund (ECHO), Computer All-Stars Program and College Discovery Program	\$ 35,000.00
		6/24/13	City of Ithaca	Ithaca Community Fire Works 2013 - Minigrant	\$ 4,000.00
		9/13/12	City of Ithaca	the Recreation Department Scholarship/ECH Fund (\$15,000); Computer All-Stars Program (\$10,000); and, College Discovery Program (\$5,000)	\$ 30,000.00
		6/14/12	City of Ithaca	Return Community Fireworks to Ithaca	\$ 5,000.00
		6/15/11	City of Ithaca	the Recreation Department Scholarship Fund (ECHO) (\$15,000), Computer All-Stars Program (\$10,000), College Discovery Program (\$5,000), and the TEACH program (\$5,000)	\$ 35,000.00
		6/15/10	City of Ithaca	the Recreation Department Scholarship Fund (ECHO) (\$15,000), Computer All-Stars Program (\$10,000) and College Discovery Program (\$5,000)	\$ 30,000.00
		6/10/09	City of Ithaca	Ithaca Youth Bureau's Recreation Department Scholarship Fund (ECHO), Computer All-Stars Program and College Discovery Program	\$ 30,000.00
		12/5/08	City of Ithaca	Ithaca Youth Bureau 60th Anniversary	\$ 5,000.00
		3/6/08	City of Ithaca	the Recreation Department Scholarship Fund (ECHO) (\$15,000), Computer All-Stars Program (\$10,000) and College Discovery Program (\$5,000)	\$ 30,000.00

		6/12/07	City of Ithaca	the work of The Natural Areas Commission preserving the native biodiversity of the Six Mile Creek Natural Area	\$ 7,000.00
		12/5/06	City of Ithaca	the Recreation Department Scholarship fund (ECHO) (\$10,000) and the Computer All-Stars program (\$10,000)	\$ 20,000.00
		9/7/06	City of Ithaca	Ithaca Youth Bureau College Discovery Program	\$ 10,000.00
		8/29/05	City of Ithaca	the Recreation Department Scholarship Fund (ECHO Fund) (\$10,000) and the Computer All-Stars program (\$10,000)	\$ 20,000.00
		3/23/05	City of Ithaca	the Ithaca Youth Bureau College Discovery Program	\$ 8,500.00
		3/25/04	City of Ithaca	the Recreation Department Scholarship Fund (ECHO Fund) (\$10,000) and the Computer All-Stars program (\$10,000)	\$ 20,000.00
		3/18/03	City of Ithaca	the Recreation Department Scholarship Fund (ECHO Fund) (\$10,000) and the Computer All-Stars program (\$10,000)	\$ 20,000.00
		9/18/02	City of Ithaca	Academic Plus Extended School Day Program	\$ 3,350.00
		9/18/02	City of Ithaca	Academic Plus Extended School Day Program	\$ 4,300.00
		3/12/02	City of Ithaca	the Recreation Department Scholarship Fund (ECHO Fund) (\$10,000) and the Computer All-Stars program (\$15,000)	\$ 25,000.00
		3/12/02	City of Ithaca	the One-to-One program	\$ 10,000.00
		11/27/01	City of Ithaca	the Fire Department's volunteer firefighter program	\$ 25,000.00
		2/28/01	City of Ithaca	the Recreation Department Scholarship Fund (ECHO Fund) (\$10,000) and the Computer All-Stars program (\$15,000)	\$ 25,000.00
		3/9/00	City of Ithaca	general operating expenses for the One-to-One Big Brothers/Big Sisters program	\$ 10,000.00
		3/9/00	City of Ithaca	the Recreation Department Scholarship Fund (ECHO Fund) (\$10,000) and the Mechanical All-Stars program (\$10,000)	\$ 20,000.00
		9/30/99	City of Ithaca	continued support of the Mechanical All Stars Program	\$ 15,000.00
		8/11/99	City of Ithaca	expanding the Department's canine unit from one dog to three (one dog per shift)	\$ 50,000.00
		6/9/99	City of Ithaca	the Department's Tactical Services Unit (TSU)	\$ 30,000.00
		3/12/99	City of Ithaca	continued support of the ECHO Scholarship Fund	\$ 10,000.00
		12/9/98	City of Ithaca	Support related to Public Library Building	\$ 76,924.00
		12/9/98	City of Ithaca	the One-to-One Friendship Fund	\$ 10,000.00
		10/20/98	City of Ithaca	the purchase of the Carousel at Stewart Park	\$ 75,000.00
		6/23/98	City of Ithaca	the Computer All Stars recycling program	\$ 20,000.00
		10/15/97	City of Ithaca	a survey of 3000 students, a local media campaign, and postage costs for the Drug Task Force	\$ 10,000.00

		8/21/97	City of Ithaca	to acquire a K-9 for narcotics investigations	\$ 32,000.00
		8/21/97	City of Ithaca	the critical incident negotiations team and the emergency response team	\$ 21,000.00
		4/17/97	City of Ithaca	youth development programs	\$ 25,000.00
		12/10/96	City of Ithaca	One-to-One program	\$ 10,000.00
		10/1/96	City of Ithaca	purchase of "Jaws of Life"	\$ 10,000.00
		6/13/96	City of Ithaca	D.A.R.E. youth program	\$ 5,000.00
		6/13/96	City of Ithaca	speed monitoring awareness radar trailer (S.M.A.R.T.)	\$ 10,000.00
		11/14/95	City of Ithaca	general operating support for the Ithaca Youth Bureau	\$ 30,000.00
		11/14/95	City of Ithaca	D.A.R.E. youth program	\$ 5,000.00

**Excel Chart 2- Grants made to City of Ithaca & Related June 2020-March 2022**

Approval Date	Org. Name	Purpose	Grant Amount
3/11/22	City of Ithaca	The Engage Initiative	\$ 70,000.00
6/11/21	City of Ithaca	The Engage Initiative	\$ 35,000.00
4/12/21	City of Ithaca	Removing Barriers and Getting Kids in Camp	\$ 9,000.00
6/12/20	City of Ithaca	The Engage Initiative	\$ 45,000.00

**Non-City Grants Supporting City Priorities June 2020-March 2022**

Approval Date	Org. Name	Project Title	Grant Amount
12/8/21	Cornell University	Defining Ithaca's 2030 Carbon Neutrality Roadmap Using a Novel Energy and Carbon Simulation Model for Ithaca's Building Stock	\$ 84,000.00
12/8/21	Town of Ithaca	Bridge Funding for a Watershed Manager on Cayuga Lake	\$ 180,000.00
9/15/21	Center for Transformative Action	Re-imagining Public Safety Working Group	\$ 60,000.00
6/11/21	Sustainable Finger Lakes	Community Choice Aggregation in Tompkins County: Developing a Path Forward	\$ 50,000.00
7/20/20	Center for Transformative Action	Community Engagement with Re-structuring Ithaca Police Department	\$ 5,000.00
3/18/20	Center for Transformative Action	Building Bridges' community engagement for the Ithaca Green New Deal Resolution	\$ 22,000.00

**Grants made to Greater Ithaca Activities Center, Inc. EIN 16-0997063 June 2020-March 2022**

Approval Date	Org. Name	Project Title	Grant Amount
12/8/21	Greater Ithaca Activities Center, Inc.	Teen Center Program Development	\$ 500,000.00
10/25/21	Greater Ithaca Activities Center, Inc.	Robin Fund	\$ 30,000.00
7/2/20	Greater Ithaca Activities Center, Inc.	COVID RESPONSE: GIAC Summer 2020 Program	\$ 112,000.00

**Grants made to Southside Community Center, Inc. EIN 15-0539123 June 2020-May 2022**

Approval Date	Org. Name	Project Title	Grant Amount
3/11/22	Southside Community Center	JEMS Literacy Movement	\$ 35,000.00
3/11/22	Southside Community Center	JEMS Literacy Movement	\$ 10,000.00
11/26/21	Southside Community Center	Southside Recycles Ithaca's Bicycles	\$ 60,000.00
8/11/20	Southside Community Center	COVID RESPONSE: Emergency Funding	\$ 30,000.00



**Grants made to the Ithaca City School District June 2020-May 2022**

<b>Approval Date</b>	<b>Org. Name</b>	<b>Project Title</b>	<b>Grant Amount</b>
11/27/21	Ithaca City School District	Equitable and Edible Farm School	\$ 70,000.00
9/15/21	Ithaca City School District	Farm to Food	\$ 57,340.00
12/11/20	Ithaca City School District	Culturally and Historically Responsive Literacy	\$ 40,000.00
12/11/20	Ithaca City School District	Food, Farming, and Fresh Cooking at Enfield Elementary School	\$ 69,660.00