

1 Sponsored by: Councilmember Ryan Mello
2 Requested by: County Council

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9 **ORDINANCE NO. 2023-67**

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14 **An Ordinance of the Pierce County Council Adopting a New Chapter 2.111**
15 **of the Pierce County Code, "Notice of Funding Availability**
16 **Process."**

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18 **Whereas**, there is currently no codified process governing the administration and
19 award of certain grant funding opportunities by County departments, agencies and
20 offices; and

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22 **Whereas**, in the interest of prudent stewardship of public funds and transparency
23 in the administration and award of grant dollars, the Council desires to create and codify
24 a uniform process to govern all County departments, agencies and offices; **Now**
25 **Therefore**,

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27 **BE IT ORDAINED by the Council of Pierce County:**
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1 Section 1. A new Chapter 2.111 of the Pierce County Code, "Notice of Funding
2 Availability Process," is hereby adopted as shown in Exhibit A, which is attached hereto
3 and incorporated herein by reference.
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6 PASSED this 31st day of October, 2023.
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9 ATTEST:

10 **PIERCE COUNTY COUNCIL**
11 Pierce County, Washington

12 Denise D. Johnson
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14 **Denise D. Johnson**
15 Clerk to the Council

16 Ryan N. Mello
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18 **Ryan N. Mello**
19 Council Chair

20 Bruce F. Dammeier
21 **Bruce F. Dammeier**
22 Pierce County Executive
23 Approved ~~Yetoed~~, this
24 9th day of November,
25 2023.

26 Date of Publication of
27 Notice of Public Hearing: October 19, 2023

28 Effective Date of Ordinance: November 19, 2023
29



"New Chapter"

Chapter 2.111

NOTICE OF FUNDING AVAILABILITY PROCESS

Sections:

- 2.111.010 Purpose.**
- 2.111.020 Definitions.**
- 2.111.030 Procedure for Funding Availability.**

2.111.010 Purpose.

The purpose of this Chapter is to set forth a uniform process applicable to the administration and award of certain funding opportunities.

2.111.020 Definitions.

As used in this Chapter, the following terms shall have the following meanings:

- A. "Awarding department" means the offices and departments of the Executive, the Council, Superior and District Courts, Prosecuting Attorney, the Assessor-Treasurer, the Auditor, the Sheriff, and all other administrative and appointive offices serving under the supervision or at the pleasure of any of the above tasked with the award and administration of the funding opportunity.
- B. "Council" means the Pierce County Council, the legislative body of Pierce County.
- C. "Executive" means the County Executive.
- D. "Executive's prioritized list" means the score, ranking and recommended funding amount, including no funding recommended, in priority order of each eligible application after approval or revision by the Executive under PCC 2.111.030 D. The prioritized list may include a waitlist where the recommended funding is contingent on available or future funding.

2.111.030 Procedure for Funding Availability.

When directed by ordinance separate from any appropriation ordinances, awarding departments shall use the following process for the award of funding to public and private entities:

- A. The Finance Department, on behalf of the awarding department, must publicize each funding opportunity by providing the following information in a public notice of funding availability:
 1. The total amount of funding available;
 2. Description and objective of the funding available;
 3. Specific eligibility criteria, including any factors or priorities that affect an applicant's or its application's eligibility for selection;
 4. Sufficient information to help an applicant make an informed decision about whether to submit an application such as any limitations on the use of funding; applicable terms and conditions for resulting awards; required data collection and performance measures; and any applicable county, state or federal requirements;



- 1 5. The criteria and process to be used to evaluate applications, as determined by the
2 awarding department and consistent with applicable law. The criteria and process
3 should contain elements of competition and may include an assessment of the
4 applicant's quality of past performance, expertise, financial capability to perform the
5 required work and, where appropriate, cost of performance;
- 6 6. Application preparation and submission information, including the applicable
7 submission dates and time; and
- 8 7. Any other information the awarding department determines is reasonable.
- 9 B. The awarding department must generally make all funding opportunities available for
10 application for at least 60 calendar days after posting on the County's website, but the
11 days may be reduced to address exigent circumstances as determined by the awarding
12 department.
- 13 C. The awarding department, in cooperation with any applicable advisory committee, must
14 determine which applications meet eligibility requirements, score and rank eligible
15 applications submitted based on the criteria set forth in subsection A.5. of this Section,
16 and develop a list of funding recommendations consistent with the scoring and ranking
17 of eligible applications.
- 18 D. The awarding department must present the list of funding recommendations developed
19 in subsection C. of this Section to the Executive for their review and approval. The
20 Executive may:
 - 21 1. Approve the list of funding recommendations in its entirety;
 - 22 2. Reject the list of funding recommendations in its entirety and direct that the funding
23 opportunity be republicized; or
 - 24 3. Approve a revised list of funding recommendations that:
 - 25 a. Adds eligible applications to the list of funding recommendations subject to the
26 following limitations:
 - 27 (1) If the list of funding recommendations contains less than ten eligible
28 applications, the Executive is limited to funding one additional unfunded or
29 partially funded eligible applications.
 - 30 (2) If the list of funding recommendations contains ten to nineteen applications,
31 the Executive is limited to funding two additional unfunded or partially
32 funded eligible applications.
 - 33 (3) If the list of funding recommendations contains twenty to twenty-nine
34 eligible applications, the Executive is limited to funding three additional
35 unfunded or partially funded eligible applications.
 - 36 (4) If the list of funding recommendations contains thirty or more eligible
37 applications, the number of additional eligible applications the Executive
38 may fund increases by one as the number of eligible applications increases
39 following the pattern established in (1)-(3) of this subsection.
 - 40 b. Reduces the amount of recommended funding to each eligible application on the
41 list of funding recommendations up to ten percent and on a proportional basis to
42 provide funding to eligible applications added by the Executive.
 - 43 E. Along with the Executive's prioritized list, the awarding department must present to the
44 Council a list of all eligible applications with the following information:
 - 45 1. A summary description of each eligible application, including the outcomes to be
46 achieved with the funding;
 - 47 2. The amount of funding requested by the applicant;



3. The amount of funding requested determined eligible;
 4. The score, ranking and recommended funding amount developed by the department with any applicable advisory committee; and
 5. The list of funding recommendations presented to the Executive for review under subsection C. of this Section.
- F. The department must present the Executive's prioritized list to the Council for approval. The Council may:
1. Approve the Executive's prioritized list in its entirety;
 2. Reject the Executive's prioritized list in its entirety and direct that the funding opportunity be republicized; or
 3. Approve a revised Executive's prioritized list that:
 - a. Adds eligible applications to the Executive's prioritized list subject to the following limitations:
 - (1) If the awarding department's list of funding recommendations contains less than ten eligible applications, the Council is limited to funding one additional unfunded or partially funded eligible application onto the Executive's prioritized list.
 - (2) If the awarding department's list of funding recommendations contains ten to nineteen applications, the Council is limited to funding two additional unfunded or partially funded eligible applications onto the Executive's prioritized list.
 - (3) If the awarding department's list of funding recommendations contains twenty to twenty-nine eligible applications, the Council is limited to funding three additional unfunded or partially funded eligible applications on the prioritized list.
 - (4) If the awarding department's list of funding recommendations contains thirty or more eligible applications, the number of additional eligible applications the Council may fund onto the Executive's prioritized list increases by one as the number of eligible applications increases following the pattern established in (1)-(3) of this subsection.
 - b. Reduces the amount of recommended funding to each eligible application on the Executive's prioritized list up to ten percent and on a proportional basis to provide funding to eligible applications added by the Council.
- G. All awards of funding must be from the Executive's prioritized list or a revised Executive's prioritized list approved by the Council.
- H. If additional appropriated funding becomes available to award after Council approval, the following process applies:
1. If the amount of available funding is \$100,000 or more, the Finance Department must advertise a new public notice of funding availability and solicit applications.
 2. If the amount of available funding is less than \$100,000, the awarding department must present its list of funding recommendations to the Executive based on prior eligible applications. The list of funding recommendations may increase prior awards or recommend new awards. The Executive may revise the list as provided in subsection D. and the Executive must forward an Executive's prioritized list to the Council. The Council may revise this Executive's prioritized list as provided in subsection F. All awards of funding must be from this Executive's prioritized list or a revised Executive's prioritized list approved by the Council.



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- I. Funding must be disbursed pursuant to a written agreement negotiated between the issuing department and the recipient that articulates the public benefit that will be provided in exchange for the funding. The agreement must contain standard terms and conditions applicable to county agreements or contracts for similar services or purchases. Funding must generally be distributed on a reimbursable basis.
- J. For any award in excess of \$25,000, the recipient must comply with PCC 2.106.022 and PCC 2.106.025.
- K. PCC 2.106.050 does not apply to funding distributed pursuant to this Chapter. However, funding distributions must conform to all other applicable federal, state and local laws.

