

Briefing Document: Proposed Ordinance to Strengthen Oversight and Transparency of Capital Improvement Planning and Projects

Author: Gardner City Council (Presented by City Council President George Tyros) **Scheduled**

Consideration: Gardner City Council Meeting, October 19, 2026 **Effective Target Date:** July 1, 2027

Executive Summary

The proposed ordinance, introduced by Gardner City Council President George Tyros, establishes a structured framework designed to increase oversight, public transparency, and City Council authority over municipal capital improvement planning and execution.

If enacted, the ordinance amends existing chapters of the City Code and establishes a new chapter—**Chapter 676 (Capital Improvement Planning and Execution)**. The key provisions of the ordinance include:

- **Expanded Council Authority over Capital Plans:** Grants explicit power to the City Council to reduce, add to, or amend the municipal capital plan prior to formal acceptance.
 - **Restructured Planning Committee:** Reconfigures the membership of the Capital Improvement Planning Committee, establishing clear voting roles and appointing authorities across the City Council, Administration, School Committee, and municipal financial officers.
 - **Mandatory Review for Projects Over \$150,000:** Requires the Mayor to submit detailed final project plans to the City Council for approval prior to issuing bid solicitations for any capital project exceeding \$150,000, enforcing a 30-day review period or explicit Council approval.
 - ****Creation of Advisory Committees for Projects Over \$500,000:**** Mandates the establishment of a multi-member Capital Project Advisory Committee for major projects (\$500,000+) to solicit public feedback and review progress.
 - **Strict Charter Section 40 Compliance for School Projects:** Formalizes documentation, justification, and reporting workflows between the School Department, Mayor, and City Council regarding school building alterations versus ordinary repairs.
 - **Defined Exemptions and Emergency Powers:** Establishes specific carve-outs for routine roadway resurfacing, majority CDBG-funded projects, and School Department projects, while providing a strictly conditioned emergency waiver process for the Mayor.
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Detailed Structural Analysis of Proposed Code Amendments

1. Amendments to Municipal Code Chapter 7: Committee Composition and Plan Amendment Authority

A. Membership Restructuring (Chapter 7, § 7-8A(2))

The ordinance replaces existing membership terms to create an explicit distribution of oversight between administrative officers, legislative members, and school representatives. The committee consists of:

- **Legislative Representation:** The City Council President (or designee) plus two City Council members appointed directly by the Council President.
- **School Representation:** The Vice Chair of the School Committee (or designee, who must be an active School Committee Member).
- **Administrative & Financial Officers:** The City Treasurer, the City Auditor, and the City Purchasing Agent.

- **Executive Representation:** The Mayor (or designee) plus one additional member appointed by the Mayor.

Key Governance Provisions:

- Members serving in an *ex officio* capacity hold full voting rights for the duration of their service.
- Appointed members serve at the pleasure of their respective appointing authority (the Council President or the Mayor).

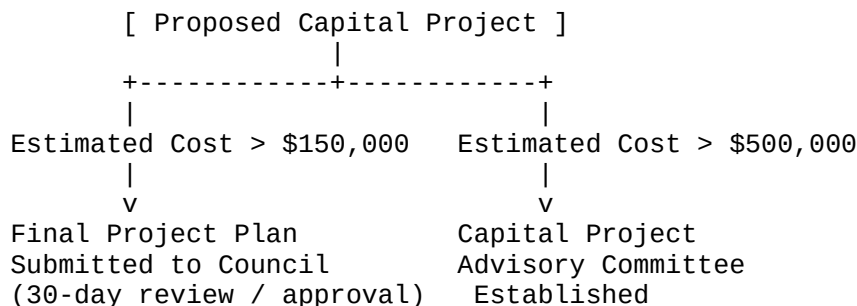
B. Direct Council Power to Amend (Chapter 7, § 7-8C)

Section 2 explicitly expands the legislative authority of the City Council regarding the citywide capital plan, stating:

"The City Council may reduce, add to, or in any other way amend the capital plan prior to acceptance."

2. Creation of Chapter 676: Capital Improvement Planning and Execution

Chapter 676 outlines the mandatory operational procedures, public review protocols, and reporting metrics required for executing municipal infrastructure and development initiatives.



A. Final Project Plan Approval (§ 676-2)

For any capital improvement project with an estimated cost exceeding **\$150,000**, the Mayor is required to submit a comprehensive "final project plan" to the City Council before issuing any invitations for bids (IFB), requests for proposals (RFP), or other procurement solicitations.

- **Mandatory Plan Contents:**
 1. Comprehensive project scope.
 2. Site plans, renderings, or construction drawings sufficient to describe the proposed improvements.
 3. Estimated project costs and identified funding sources.
 4. Anticipated project completion schedule.
 5. Detailed itemization of any material changes from previously presented project concepts or designs.
 6. Identification of the specific individual, employee, or official designated by the Mayor to serve as the **Project Lead**.

- **Procurement Restriction:** No procurement process for construction may be issued until either the City Council grants explicit approval or **30 calendar days** elapse following the formal submittal of the plan.

B. Capital Project Advisory Committees (§ 676-3)

For authorized capital projects exceeding **\$500,000** (or another threshold established by ordinance), a dedicated Capital Project Advisory Committee must be created prior to initiating procurement activities.

- **Purpose & Authority Limits:** The committee provides public review, monitors progress, and offers recommendations concerning scope, design, schedule, budget, and community impact. The committee functions strictly in an **advisory capacity** and holds no authority to direct city employees, consultants, contractors, or financial expenditures.
- **Membership & Appointments:** Must consist of at least three (3) voting members. At least **one-third (1/3)** of the members are appointed by the Council President, with the remaining members appointed by the Mayor. The Mayor designates the Committee Chair.
- **Key Duties:**
 - Reviewing design concepts and project plans.
 - Receiving regular reports from consultants, project managers, and city officials.
 - Holding public meetings to gather community feedback.
 - Issuing written recommendations on significant budget, design, or scope alterations.
 - Submitting advisory updates and a final summary report to the Mayor and City Council.
- **Sunset Clause:** The committee automatically dissolves upon substantial completion of the project, unless its term is extended by joint action of the Mayor and City Council.

3. School Capital Improvements & Charter Section 40 Enforcement (§ 676-4)

Section 676-4 establishes standard compliance routines for Section 40 of the City Charter to maintain transparency regarding school infrastructure projects.

A. Mandatory Documentation Requirements

Before plans are accepted or work begins on any construction or alteration of a school facility requiring Charter Section 40 approval, the School Department must generate a written project summary detailing:

1. Description of the proposed work and specific physical location.
2. Estimated total project cost and proposed funding sources.
3. A formal statement justifying why the project is classified as "construction or alteration" rather than ordinary repair (or the explicit basis for claiming it as an ordinary repair).
4. A statement demonstrating project necessity, highlighting potential financial costs or lost opportunities if the work is delayed or rejected.

B. Approval Workflow & City Council Notification

- **Record of Approval:** Compliance requires written evidence of approval by both the School Committee and the Mayor, which must be retained as a public record.

- **City Council Notification Timeline:** The School Department must transmit the complete project summary and documentation of approval to the City Council within **ten (10) business days** following the required executive and school committee approvals.

4. Exemptions and Emergency Procedures (§ 676-5)

A. Categorical Exemptions

The pre-procurement approvals (§ 676-2) and advisory committee requirements (§ 676-3) do **not** apply to three specific project categories:

Exempt Category	Scope & Criteria
1. Roadway Resurfacing	Routine paving, milling, resurfacing, or surface maintenance. Must be standalone (not part of a larger project) and exclude substantial subsurface infrastructure changes or non-standard material alterations.
2. CDBG Projects	Projects where more than 50% of the total cost is funded through the Community Development Block Grant program and constitutes a City project.
3. School Department Projects	Projects undertaken by or under the control of the School Committee involving school grounds, facilities, or property. <i>(Note: These remain subject to § 676-4 Oversight).</i>

B. Emergency Waivers

The Mayor holds the power to waive the requirements of §§ 676-2 and 676-3 if an emergency condition threatens public health/safety, risks substantial property damage, disrupts essential public services, or creates unreasonable public risk.

- **Mayoral Notice Protocol:** Written notification must be delivered to the City Council within **five (5) business days** of the emergency determination.
- **Required Notice Contents:**
 1. Description of the emergency condition.
 2. Proposed or executed capital work.
 3. Estimated cost and funding sources.
 4. Explanation of why standard oversight compliance was impracticable.
 5. Anticipated schedule for completion.
- **Scope Limitation:** Emergency waivers apply *strictly* to work necessary to address the immediate emergency. Any subsequent scope expansions or non-essential additions remain subject to standard ordinance oversight.

Implementation Schedule and Enforceability (§ 676-6)

- **Effective Date:** The ordinance becomes effective **July 1, 2027**, following passage and legal publication requirements.
- **Grandfathering Provisions:** Projects with active invitations for bids, requests for proposals, or formal procurement processes initiated **prior to July 1, 2027**, are exempt from §§ 676-2 and 676-3. However, the Mayor retains the discretion to voluntarily submit grandfathered projects for Council review or establish an advisory committee.

- **Administrative Mandate:** Directs the Mayor and municipal departments to execute administrative actions necessary to enforce compliance.
- **Severability:** Contains standard severability protections ensuring that if any single provision is invalidated, the remainder of the ordinance retains legal force.

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Strategic Analysis:

MUNICIPAL POLICY BRIEF: STRATEGIC ANALYSIS OF THE PROPOSED TYROS CAPITAL OVERSIGHT ORDINANCE

1. Legislative Intent and Institutional Context

The proposed Tyros Capital Oversight Ordinance, submitted by Gardner City Council President George Tyros for formal introduction at the October 19, 2026 City Council meeting, introduces a structural recalibration of local capital infrastructure governance. Designed to establish a statutory equilibrium between executive administrative execution and legislative fiscal oversight, the ordinance embeds mandatory review protocols, committee structures, and transparency standards into the municipal municipal planning and procurement lifecycle. By codifying legislative intervention points prior to bid solicitation, the ordinance seeks to transition Gardner’s capital allocation model from discretionary executive management to an open, institutionalized intergovernmental governance framework.

Legislative Background & Purpose (§ 676-1)

As formally codified in Chapter 676, § 676-1 of the City Code, the ordinance establishes four foundational policy drivers: ensuring proper long-range planning, executing capital projects efficiently, providing appropriate legislative oversight, and enhancing public awareness and fiscal transparency. The scheduled legislative timeline introduces the measure on October 19, 2026, with a statutory effective date of July 1, 2027 (§ 676-6A). This implementation window provides a nine-month administrative buffer, enabling municipal departments to recalibrate financial planning cycles, procurement buffers, and interdepartmental communications prior to full legal enactment.

Institutional Balance of Power Analysis

The ordinance fundamentally reshapes the institutional dynamic between the Mayor’s Office, the City Council, and municipal line departments. Under existing administrative operations, executive line agencies—such as the Department of Public Works and the Building Department—operate primarily under direct executive supervision during project conceptualization, scope definition, and procurement timing. Legislative involvement historically occurs downstream during aggregate capital appropriation votes.

Under the proposed ordinance, line departments face a shift: early project initiation and scope formulation become subject to multi-layered legislative oversight long before contract execution. The ordinance distributes project-level authority by establishing direct City Council approval rights over project plans (§ 676-2), expanding Council representation on capital planning bodies (Chapter 7, § 7-8A(2)), granting explicit legislative amendment powers over capital plans (Chapter 7, § 7-8C), and mandating joint appointments to project advisory committees (§ 676-3).

Governance Dimension	Current Implicit Administrative Process	Proposed Codified Oversight Framework
Capital Plan Authority	Executive formulation with downstream legislative aggregate appropriation.	Direct legislative power to reduce, add to, or amend capital plans prior to acceptance (Chapter 7, § 7-8C).
Project Review Thresholds	Internal administrative review and standard state procurement bidding processes.	Mandatory City Council plan submission and approval for projects exceeding \$150,000 (§ 676-2).

Public Advisory Oversight	Ad-hoc administrative working groups at executive discretion.	Mandatory Capital Project Advisory Committees for projects exceeding \$500,000 with joint appointments (§ 676-3).
Line Department Workflow	Direct executive direction from Mayor to DPW/Building Dept through bid issuance.	Multi-layered legislative review, requiring a minimum 30-day procurement hold for plan approval (§ 676-2).
School Infrastructure Projects	Departmental execution under School Committee jurisdiction.	Formalized Charter Section 40 compliance documentation and mandatory 10-day Council notification (§ 676-4).

These overarching institutional adjustments translate directly into structural changes within municipal committee governance and local financial planning frameworks.

2. Capital Planning Restructuring and Financial Governance

Restructuring municipal capital planning bodies and expanding legislative modification powers are strategic mechanisms for managing municipal financial risk. By reorganizing the composition of capital planning entities and codifying broad legislative authority over capital plan adoption, the ordinance alters fiscal controls and strategic prioritization across all municipal departments.

Reorganization of the Capital Planning Committee (Chapter 7, § 7-8A(2))

Section 1 of the ordinance strikes and replaces Chapter 7, § 7-8A(2), restructuring the Capital Planning Committee into a 9-member voting body:

1. **Council President** (or their designee)
2. **City Council Member** (Appointed by the Council President)
3. **City Council Member** (Appointed by the Council President)
4. **Vice Chair of the School Committee** (or their designee, who must be a School Committee member)
5. **City Treasurer**
6. **City Auditor**
7. **City Purchasing Agent**
8. **Mayor** (or their designee)
9. **Mayoral Appointee** (1 member appointed by the Mayor)

This composition shifts voting leverage within the primary capital planning entity. Ex officio members are granted full voting rights for the duration of their service, eliminating former distinctions between administrative officers and voting members. Furthermore, the legislative branch controls three direct appointments (the Council President and two Council appointees), while the executive branch holds two seats (the Mayor and one Mayoral appointee). Statutory administrative officers (Treasurer, Auditor, Purchasing Agent) and the educational representative (School Committee Vice Chair) hold the remaining four seats. Non-ex officio appointed members serve at the pleasure of their respective appointing authorities, reinforcing direct political accountability.

Legislative Authority Over Capital Plans (Chapter 7, § 7-8C)

Section 2 amends Chapter 7, § 7-8C by establishing that *"The City Council may reduce, add to, or in any other way amend the capital plan prior to acceptance."*

This statutory expansion significantly increases legislative leverage during capital budget negotiations. Under standard municipal budgeting, legislative bodies are frequently limited to accepting or reducing executive budget submissions. By explicitly permitting the City Council to add new projects, reorder municipal priorities, or reallocate dollar amounts prior to plan acceptance, the ordinance eliminates executive "all-or-nothing" capital submissions.

However, this expanded power introduces operational risks to long-term capital forecasting. Unrestricted authority to amend the capital plan creates exposure to legislative logrolling or localized project additions by individual councilors. If capital prioritization becomes subject to ward-level bargaining, multi-year asset management plans developed by line departments (such as long-term pavement management or municipal facility remediation schedules) risk disruption, potentially complicating capital reserve allocations and debt service forecasting.

The macro-level authority established over capital plan adoption connects directly to project-level review mechanisms and dollar-threshold governance.

3. Tiered Threshold Governance and Project Execution Operational Impacts

The Tyros Ordinance establishes a two-tiered financial threshold framework (\$150,000 and \$500,000) designed to scale legislative oversight according to capital exposure. This tiered mechanism introduces defined submittal mandates, advisory structures, and operational constraints to municipal project delivery.

TYROS ORDINANCE FINANCIAL THRESHOLD SYSTEM	
TIER 1: PROJECTS > \$150,000 (§ 676-2) 676-3)	TIER 2: PROJECTS > \$500,000 (§

Mandatory Deliverables Mandate:	Mandatory Governance Structure:
1. Detailed Project Scope	- Capital Project Advisory
Committee	
2. Site Plans / Drawings / Renderings	- Minimum 3 Voting Members
3. Estimated Cost & Funding Sources	- Appointment Split:
4. Anticipated Project Schedule	* >= 1/3 Council President
Appointed	
5. Material Design / Concept Changes	* Balance Mayor Appointed
6. Designated Project Lead	- Chair Designated by Mayor
Approval Pathways (§ 676-2b):	Committee Jurisdictional Scope:
[Path A] Active Council Approval	- Purely Advisory (No
administrative	
OR	or expenditure authority)
[Path B] Passive 30-Day Expiration	- Automatically Sunsets at
Substantial	
	Project Completion

Tier 1: Final Project Plan Approval (\$150,000+ Threshold - § 676-2)

For any capital improvement project with an estimated cost exceeding \$150,000, the Mayor must formally submit a final project plan to the City Council prior to issuing invitations for bids (IFB),

requests for proposals (RFP), or initiating formal procurement processes. Under § 676-2a, the plan submission must include six mandatory statutory deliverables:

1. The overall project scope.
2. Site plans, renderings, or construction drawings sufficient to describe the proposed improvements.
3. Estimated project costs and identified funding sources.
4. The anticipated project execution schedule.
5. Any material changes from the project concept or design previously presented to the City Council.
6. The specific individual, employee, or official designated by the Mayor to act as Project Lead.

Under § 676-2b, procurement cannot proceed until one of two explicit statutory pathways is satisfied:

- **Path A (Active Affirmative Approval):** Approval is formally granted by the City Council in a manner to be determined by the body.
- **Path B (Passive Approval Expiration):** A period of thirty (30) days elapses following submittal without formal Council action.

This mechanism requires municipal procurement officers to build a 30-to-45-day review buffer into project bidding schedules. Line departments must complete detailed design phases and finalize project lead designations well in advance of target procurement dates to avoid project delays.

Tier 2: Capital Project Advisory Committees (\$500,000+ Threshold - § 676-3)

Capital infrastructure projects with total estimated costs exceeding \$500,000 automatically trigger the establishment of a Capital Project Advisory Committee prior to the commencement of procurement activities (§ 676-3A).

- **Structure & Appointments (§ 676-3C):** The committee must consist of at least three (3) voting members. Not less than one-third (1/3) of the members are appointed by the Council President, with the remaining members appointed by the Mayor. The Mayor designates the Committee Chair.
- **Jurisdictional Scope (§ 676-3B):** The committee functions strictly in an advisory capacity. It holds no statutory authority to direct city employees, manage contractors or consultants, or authorize project expenditures.
- **Discretionary Powers (§ 676-3D):** The committee may review and comment on project plans and design concepts, receive periodic reports from project managers and city officials, host public input meetings, issue written recommendations regarding significant scope or budget alterations, and submit advisory reports to executive and legislative leadership.
- **Sunset Mechanism (§ 676-3F):** To prevent permanent committee proliferation, each committee automatically dissolves upon substantial project completion, unless extended by joint action of the Mayor and City Council.

Operational Governance Friction Analysis: A critical operational vulnerability exists in § 676-3A, which mandates that the advisory committee be established "*prior to the commencement of procurement activities.*" Because committee formation relies on dual appointing authorities (Council President and Mayor), any delay, disagreement, or political deadlock in making member appointments

will halt procurement initiation. Municipal administrators must establish formal appointment tracking protocols to prevent capital project stagnation.

Threshold Governance Matrix

Statutory Feature	Tier 1: Project Plan Approval (§ 676-2)	Tier 2: Advisory Committee (§ 676-3)
Financial Threshold	Exceeding \$150,000 total estimated cost.	Exceeding \$500,000 total estimated cost.
Mandatory Deliverables	6 Submittal items: Scope, drawings, cost/funding, schedule, design changes, Project Lead.	Written scope/budget recommendations, periodic progress reviews, optional final advisory reports.
City Council Authority	Active vote or passive 30-day review period prior to procurement issuance.	Appointment of at least 1/3 of voting membership; receipt of advisory reports.
Public Engagement	Formal public record submission via City Council submittal.	Discretionary public meetings held by committee to solicit community feedback.
Lifecycle Constraints	Concludes upon Council approval or expiration of 30-day review window.	Automatic sunset upon substantial project completion (unless extended by joint action).

Specialized statutory governance protocols apply to municipal educational facilities.

4. School Department Integration and Charter Section 40 Protocols

Integrating school capital projects into municipal oversight frameworks requires balancing educational administrative independence with city-wide fiscal transparency. The ordinance resolves this by maintaining School Department operational jurisdiction while enforcing reporting mandates under Section 40 of the Gardner City Charter.

Charter Section 40 Enforcement Mechanics (§ 676-4)

Section 676-4 establishes formal documentation and transmission protocols for educational construction. Prior to accepting plans or commencing work on any school building construction or alteration requiring approval under Charter Section 40, the School Department must prepare a written project summary incorporating six mandatory items:

1. A description of the proposed work.
2. The specific physical location of the work.
3. The estimated total project cost.
4. The proposed source of funding.
5. A statement explaining why the initiative constitutes construction or alteration rather than ordinary repair—or, if claimed to be an ordinary repair, the explicit basis for that determination.
6. A statement explaining why the project is necessary and detailing potential financial costs or lost opportunities if the project is not approved.

Compliance requires written evidence of joint approval by the School Committee and the Mayor, which must be preserved as a permanent public record (§ 676-4C). Within ten (10) business days following these joint approvals, the School Department must formally transmit the project summary and approval documentation to the City Council (§ 676-4D).

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[STEP 1: PROJECT FORMULATION]

School Department prepares comprehensive written summary containing 6 mandatory items:

(1) Description (2) Location (3) Estimated Cost (4) Funding Source
(5) Repair vs. Alteration Justification (6) Necessity & Lost-Opportunity Statement

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[STEP 2: JOINT EXECUTIVE APPROVAL]

Written approval executed by BOTH the School Committee and the Mayor.
Document entered into permanent public record.

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[STEP 3: MANDATORY LEGISLATIVE NOTIFICATION]

School Department transmits complete package to City Council within ten (10) business days of final joint approval.

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Operational Scope and Exemption Analysis (§ 676-5A(3))

Under § 676-5A(3), capital improvement projects undertaken by or under the control of the School Committee—involving school buildings, grounds, and facilities—are explicitly exempt from standard Tier 1 (§ 676-2) and Tier 2 (§ 676-3) processes.

This exemption framework clarifies the operational boundary between school and general municipal capital governance:

- **Statutory Boundary:** Section 676-4 applies specifically to *"construction or alteration of a school building requiring approval under Section 40 of the City Charter."*
- **Maintenance Distinction:** Routine operational repairs that do not trigger Charter Section 40 are exempt from the formal § 676-4 City Council submittal. However, under § 676-4B(5), if the School Department categorizes a major project as "ordinary repair" to bypass Section 40 protocols, it must formally document the administrative basis for that determination to withstand potential legislative challenge.

To maintain administrative flexibility during critical operations, the ordinance incorporates explicit safety valves and statutory exemptions.

5. Exemption Framework, Emergency Protocols, and Implementation Lifecycle

A robust capital policy balances structured oversight with administrative safety valves to prevent operational paralysis during routine maintenance or public emergencies.

Categorical Exemptions (§ 676-5A)

The ordinance excludes two non-school capital categories from §§ 676-2 and 676-3 oversight:

- **Roadway Paving and Resurfacing (§ 676-5A(1)):** Routine roadway paving, milling, resurfacing, or surface maintenance projects are exempt, provided they are standalone (not part of a larger capital improvement project), involve no substantial subsurface infrastructure alterations, and contain no material design alterations beyond standard resurfacing.

- *Operational Boundary Example:* A standard mill-and-overlay paving contract on a municipal roadway is fully exempt from Council plan submittal. However, if the DPW pairs that resurfacing with major storm drain replacement, water main reconstruction, or structural sidewalk re-engineering, the project involves "substantial subsurface infrastructure improvements." This invalidates the exemption and subjects the entire project to Tier 1 (§ 676-2) or Tier 2 (§ 676-3) governance.
- **Community Development Block Grant (CDBG) Projects (§ 676-5A(2)):** Municipal projects for which more than fifty percent (50%) of total costs are funded through federal CDBG programs are exempt from standard Tier 1 and Tier 2 reviews.

Emergency Exemption Governance (§ 676-5B)

The Mayor holds executive authority to waive §§ 676-2 and 676-3 requirements when an emergency requires immediate action to protect public health or safety, prevent substantial public property damage, restore essential public services, or address circumstances where ordinary delay creates unreasonable public risk.

EMERGENCY EXEMPTION PROTOCOL & GOVERNANCE (§ 676-5B)

[MAYORAL EMERGENCY DETERMINATION]

Triggered by immediate threat to public health/safety, property damage, or essential service restoration.

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[ADMINISTRATIVE REPORTING MANDATE]

Written notice submitted to City Council "as soon as practicable, but no later than five (5) business days after the determination is made."

Mandatory Notice Contents:

1. Description of emergency condition.
2. Capital work proposed or undertaken.
3. Estimated cost and identified funding sources.
4. Reason standard review compliance was not practicable.
5. Anticipated completion schedule.

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[STATUTORY BOUNDARY & LIMITATION]

Emergency waiver applies EXCLUSIVELY to work reasonably necessary to address the immediate emergency. Expanded scope remains fully subject to Ch. 676.

When exercising an emergency waiver, the Mayor faces a tight statutory reporting mandate: written notice must be transmitted to the City Council "*as soon as practicable, but no later than five (5) business days after the determination is made.*" The insertion of "*as soon as practicable*" establishes an immediate administrative duty to notify the Council, setting a hard five-day ceiling.

Implementation & Transition Protocol (§ 676-6)

- **Effective Date (§ 676-6A):** Chapter 676 takes effect on **July 1, 2027**, following passage and publication as required by law.

- **Grandfathering Provision (§ 676-6A):** Any project for which an IFB, RFP, or formal procurement process was issued prior to July 1, 2027, is fully exempt from §§ 676-2 and 676-3 requirements.
- **Voluntary Executive Compliance (§ 676-6A):** The Mayor retains discretionary authority to voluntarily submit grandfathered projects to the City Council or establish advisory committees prior to July 1, 2027.
- **Administrative Duty (§ 676-6B):** The Mayor, through city departments and officers, is directed to execute necessary administrative preparations prior to enactment.
- **Severability (§ 676-6C):** Standard legal severability protects remaining provisions if any single clause is adjudicated invalid.

This operational framework directly impacts administrative risk profiles across all sectors of city government.

6. Strategic Risk and Policy Impact Assessment

The Tyros Capital Oversight Ordinance establishes an structured municipal capital management framework that alters procedural workflows, bidding timelines, and balance-of-power dynamics across municipal departments.

Comprehensive Impact Assessment

Operational Domain	Policy Framework & Operational Impact	Strategic Risk & Governance Outcome
Governance & Legislative Oversight	Expands legislative oversight over capital plans (Chapter 7, § 7-8C) and committee appointments (§ 7-8A(2), § 676-3).	Restores legislative check on executive planning; introduces risk of ward-level logrolling during capital plan amendment.
Financial Controls & Transparency	Establishes explicit review thresholds (\$150k/\$500k) requiring cost estimations, funding source identification, and lost-opportunity statements.	Enhances public audit trails and expenditure tracking; reduces risk of unbudgeted capital scope expansion.
Administrative Workflows & Timelines	Mandates a 30-day legislative review window (§ 676-2b) prior to procurement solicitation.	Requires line agencies (DPW, Building Dept) to build 30-to-45-day review buffers into bidding schedules.
Intergovernmental & School Relations	Preserves School Committee jurisdiction while enforcing strict 10-day Charter Section 40 reporting timelines (§ 676-4).	Maintains educational jurisdiction over facilities while establishing transparent public documentation mechanisms.

Implementation Safeguards & Compliance Checklist

To ensure operational readiness prior to the **July 1, 2027** effective date, municipal leadership should execute the following administrative actions:

- **Procurement Calendar Calibration:** Audit all active and pipeline capital projects to ensure solicitations are either issued prior to July 1, 2027 (securing grandfathered status under § 676-6A) or structured with built-in 30-to-45-day Council review buffers.

- **Project Lead Designation Framework:** Formulate an administrative SOP within the Executive Office and line departments to formally designate and document a "Project Lead" for every capital initiative estimated to exceed \$150,000 (§ 676-2a(vi)).
- **Charter Section 40 Workflow Integration:** Standardize reporting templates for the School Department to document project descriptions, lost-opportunity costs, and repair vs. alteration justifications for rapid transmission within the mandatory 10-business-day window (§ 676-4D).
- **Advisory Committee Tracking Protocol:** Establish an intergovernmental tracking system between the Council President's Office and the Mayor's Office to streamline joint appointments for Capital Project Advisory Committees (\$500k+ threshold), preventing procurement freezes caused by appointment delays (§ 676-3A).
- **Emergency Exemption SOPs:** Draft standardized executive notification templates to ensure immediate compliance with the written reporting mandate ("*as soon as practicable, but no later than 5 business days*") whenever emergency waivers are exercised (§ 676-5B).