

**Sec. 1202. - BOARD OF HARBOR COMMISSIONERS.**

The exclusive control and management of the Harbor Department is hereby vested in the Board of Harbor Commissioners, which shall be composed of five (5) members.

**Sec. 1203. - POWERS AND DUTIES OF THE COMMISSION.**

The Commission shall have the exclusive power and duty for and on behalf of the City:

(a)

To sue and defend in the name of the City in all actions and proceedings pertaining to any matters within the jurisdiction of the Commission.

(b)

To provide for the needs of commerce, navigation, recreation and fishery in the Harbor District; to plan, promote, develop, construct, re-construct, alter, repair, maintain, equip, and operate all properties including, but not limited to, the piers, wharves, seawalls, docks, basins, channels, slips, landings, warehouses, floating and other plants or works, and all other publicly owned facilities or appliances incident to the operation of the Harbor District, both inside and outside the Harbor District; to dredge and reclaim land, to construct, equip and operate terminal trackage with connections between docks, piers and other Harbor District properties and connect the same with mainline tracks; to provide services including, but not limited to, tugs, dredges, fireboats, barges, cold storage plants; to establish, equip and operate all other facilities or aids incident to the development, protection and operation of the Harbor District, and to modify plans from time to time as the requirements of commerce, navigation, recreation or fishery may demand, and as the Commission may deem proper and desirable in its judgment.

(c)

To direct, control, and supervise the Harbor District, including all the waterfront properties, and lands adjacent thereto, or under water, structures thereon, and approaches thereto, storage facilities and other utilities, and all rights and interests belonging thereto, which are now or may hereafter be owned or possessed by the City, both inside and outside of the Harbor District, except such lands or parts, thereof, for so long as the same may be used for or in connection with the drilling for, developing, producing, extracting, processing, taking or removing, storing and disposing of oil, gas and other hydrocarbon substances by the City provided that with respect to such portions of said lands used therefore as are tide and submerged lands, whether filled or unfilled, or that are held subject to the tideland trust, that the Commission has determined by resolution, that said lands or parts thereof, are not required, and with reasonable certainty will not be required, for a period not to exceed thirty-five (35) years, for the promotion or development of commerce, navigation, recreation, or fishery.

(d)

To control and have jurisdiction of that part of the City hereinafter defined as the "Harbor District", as said district was bounded and described on the first day of February, 1979, except as to those lands, or parts thereof, within said district as may be used for or in connection with the drilling for, developing, producing, extracting, processing, taking or removing, storing and disposing of oil, gas and other hydrocarbon substances by the City as provided herein; and to make and enforce in the Harbor District general rules and regulations, to the extent that may be necessary or requisite for port purposes and harbor development, and in carrying out the powers elsewhere vested in the Commission; provided, however, that with the approval of the City Council, the Commission may with the prior approval of the electors, relinquish to the City Council control of portions of the Harbor District. Upon request of the Commission, the City Council may, by ordinance, also with the prior approval of the electors, change the boundaries of the Harbor District.

(e)

To require owners of water terminal properties and facilities within the Harbor District to keep said properties and facilities in proper condition and repair and to maintain them with special reference to the safety of persons and property and the reduction, of fire hazard or nuisances. The Commission shall have the right to inspect such terminal facilities at reasonable times.

(f)

To regulate and control all public service and public utilities operated in connection with, or for the promotion and accommodation of commerce, navigation, recreation or fishery in the Harbor District; to fix the proper license fees to be paid to the City by any person, firm or corporation operating any such public service or utility; and to fix and regulate the rates or tolls to be charged or collected for services furnished by any such public service or utility. The Commission shall have the right, at all reasonable times, to have access to, and, in person, or by its duty authorized representatives, to examine the books, papers, maps and records showing the affairs, transactions, property and financial condition of such persons, firms or corporations, and to require reports respecting said matters from such persons, firms or corporations at such times and in such form as the Commission may prescribe. The amounts of the license fees to be paid to the City by any such person, firm or corporation, operating any such public service or utility and the rates or tolls to be charged and collected for service furnished or supplied by such public service or utility shall be fixed by the Commission by ordinance.

(g)

To regulate the speed, berthing, anchoring, towing, loading, unloading and mooring of vessels within the Harbor District.

(h)

To provide for handling, storage and reconditioning of all commodities; to sell or otherwise dispose of personal property within its possession or ownership.

(i)

To issue receipts, negotiable or otherwise, for property or merchandise, in its charge or possession, and to act as agent in sales and other contracts.

(j)

To fix all rates, dockage, rentals, tolls, pilotage, wharfage, and charges for the use and occupation of the public facilities or appliances of the port, and for services rendered by the Harbor Department, and to provide for the collection thereof.

(k)

To use, for loading and unloading cargo, with the right to collect tolls, dockage and other terminal charges thereon, such portions of

the streets of the City ending or fronting upon the water areas of the harbor of said City, as may be used for said purposes.

(l)

To lend its aid to secure the improvements of navigable tidal waters, within or adjacent to the Harbor District where, in its opinion, such improvements are economically justifiable, and in the general carrying out of its powers to cooperate with the City, with neighboring cities, other ports, the State of California, or the United States Government; and to appear before state, federal and other public legislative and administrative authorities.

(m)

To manage the business of the port and promote the maritime and commercial interests by proper advertisement of its advantages, and by the solicitation of business, within or without the Harbor District, within the State of California or other states or in foreign countries, through such employees and agencies as it may deem expedient.

(n)

To acquire in the name of the City by purchase, condemnation, gift, lease, or otherwise take over and hold all lands, property, property rights, leases, or easements, and personal property of every kind, necessary or convenient for the development and operation of the Harbor District, or for the carrying out of the powers herein granted to the Commission.

Whenever the Commission determines that any lands owned by the City within its jurisdiction have become unnecessary for port purposes or harbor development, it may by ordinance, transfer such land to the control of the City Council, free from all restrictions, other than trust restrictions, if any.

(o)

To enter into contracts, agreements, leases, or stipulations, germane to the scope of its powers and duties.

(p)

To let all work by contract or order it done by day labor, as the Commission may determine.

(q)

To create bureaus and divisions of the Harbor Department. To employ and appoint an Executive Director who shall be Chief Executive of the Harbor Department and who shall exercise the management of all affairs and activities placed under the jurisdiction of the Commission, and an Assistant Executive Director, each of whom shall hold such position during the pleasure of the Commission. To appoint and employ such other officers and employees as may be necessary in the efficient and economical carrying out of its functions. To prescribe and fix the duties, authority and compensation of all appointees hereunder and to require such officers and employees to give a bond in such an amount as the Commission may require for the faithful performance of their duties. All officers and positions of employment in the permanent service of the Commission shall be created by resolution.

(r)

To confer upon and delegate to the Executive Director such powers and duties as the Commission shall deem appropriate.

(s)

To expend all funds necessary to carry out the powers and duties herein expressed.

(t)

To adopt and enforce such ordinances, orders, regulations and practices as are necessary for the proper administration and discharge of its duties and powers, or for the management and government of the Harbor District and its facilities.

(u)

To prescribe fines, forfeitures and penalties for the violation of any provision of this Article, or of any ordinance of the Harbor Commission, but no penalty shall exceed Five Hundred Dollars (\$500.00) fine, or six (6) months imprisonment, or both.

(v)

To do and perform any and all other acts and things which may be necessary and proper to carry out the general powers of the City, or any of the provisions of this Article, and to exercise all powers not in conflict with the Constitution of the State, or with this Charter, germane to the scope of its powers, purposes and duties.

#### **Sec. 1204. - ADDITIONAL POWERS.**

The City Council, subject to the approval of the Commission, may by ordinance confer upon and delegate to the Commission from time to time, such additional powers and duties which may be vested in it, and which it may deem necessary or convenient to carry out the general purposes of such Commission.

#### **Sec. 1205. - CONTROL OF HARBOR PROPERTY.**

No franchise shall be granted, no property shall be acquired or sold, no street shall be opened, altered, closed or abandoned, and no sewer, street, or other public improvement shall be located or constructed in the Harbor District by the City without the approval of the Commission.

#### **Sec. 1206. - ORDINANCES AND RESOLUTIONS.**

All actions taken by the Commission shall be by motion or by resolution except as set forth in this Article.

The Commission shall keep a minute book wherein shall be recorded the proceedings taken at its meetings and it shall keep a record and index of all its resolutions and ordinances, which shall be open to public inspection when not in use.

No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least three (3) members of the Commission.

No ordinance shall be placed upon its final passage upon the same day it has been introduced except emergency ordinances. All ordinances and resolutions shall be posted in three (3) conspicuous places in the City unless publication is ordered by the Commission or otherwise required by law. No ordinance shall become effective until thirty (30) days after the date of its final passage, except emergency ordinances.

The Commission may, by vote of three (3) of its members, pass emergency measures to take effect at the time

indicated therein. Emergency measures shall contain a section in which the emergency is particularly set forth, and defined, and a separate roll call on the question of the emergency shall be taken.

All ordinances shall be signed by the president, or vice president of the Commission and attested by the secretary.

A certified copy of each ordinance adopted by the Commission shall be forthwith filed with the City Clerk, and the City Clerk shall keep a record and index thereof which shall at all times be open to public inspection.

All proceedings for the acquisition of real property by purchase, condemnation, or otherwise, or the granting of any lease longer than five (5) years, the fixing, regulating and altering schedules of rates, dockage, wharfage, tolls and charges for all public-owned docks, piers, wharves, slips and other facilities, and for services rendered by the Harbor Department and the adoption of all general rules and regulations of the Commission, excepting administrative regulations of a temporary nature, shall be taken by ordinance, provided that the Commission may by resolution, fix, regulate and alter schedules of rates, dockage, wharfage, tolls and charges for all public-owned docks, piers, wharves, slips and other facilities, and for services rendered by the Harbor Department for a period not to exceed ninety (90) days.

## **Sec. 1207. - LEASING.**

(a) All tidelands and submerged lands within the Harbor District, whether filled or unfilled, now owned or hereafter acquired by the City are hereby declared to be required for use for purposes in connection with, or for the promotion and accommodation of commerce, navigation, recreation or fishery, and shall, except as herein provided, continue to be withheld for such purposes. It shall be unlawful to grant, sell, convey, alienate, transfer or otherwise dispose of, except as herein provided, any part of or any interest in the waterfront, tidelands, submerged lands, or appurtenances thereto belonging, owned, controlled, possessed or held by the City in the Harbor District; provided that grants of such lands may be made to the State of California, or to the United States of America, for public purposes, when authorized by a majority vote of the qualified voters of the City, voting upon the question of authorizing any such grant at an election.

(b) Notwithstanding any other provision of this Charter to the contrary, the Commission shall not be required to operate directly all of the properties, facilities and utilities under its control or jurisdiction, and shall have the power to authorize the operation of any of such properties, facilities and utilities by a private person, firm, association or corporation, whether by lease, franchise, license, assignment, permit or otherwise, upon such terms and conditions as the Commission shall prescribe, which terms and conditions shall include control over the rates, charges and practices of said private party to the extent permitted by law.

(c) The Commission shall have power to grant to any person, firm or corporation, franchises, leases, assignments and permits of any properties and facilities belonging to or possessed by the City under the jurisdiction of the Commission for public uses and purposes consistent with the trusts upon which said lands are held for periods not exceeding sixty-six (66) years, as hereinafter provided. Whenever it shall be determined by the Commission, by ordinance, that such properties therein described may not be required at such time for use for purposes in connection with, or for the promotion and accommodation of commerce, navigation, recreation or fishery the Commission shall have power to grant leases of such properties for periods not exceeding fifty (50) years, pursuant to competitive bidding, for any and all purposes, which shall not interfere with commerce, navigation, recreation or fishery, and are not inconsistent with the trusts upon which said lands are held by the City.

(d) All such franchises, permits and leases shall be granted subject to such terms and conditions and such rental and compensation as prescribed therein, and to the limitations, conditions, restrictions and reservations contained in this Article. Every such grant for a period of five (5) years or less shall be made by resolution, and every such grant for a period of more than five (5) years shall be made by ordinance.

Every ordinance making any such grant for a period of more than five (5) years shall be published and/or posted once in the same manner as ordinances of the City. Every such ordinance, whether published and/or posted, shall, before the same becomes effective, be subject to the referendum provisions of this Charter relating to ordinances.

Every such grant shall provide for a readjustment of the rental or the compensation at least every five (5) years during the term thereby created, upon such procedure as shall be specified in such grant.

(e) Every such grant shall be made only upon the condition, whether expressed therein or not, that the construction of the works, structures or improvements provided for therein shall, if the same be not already constructed or made, be commenced promptly after such grant becomes effective, and be prosecuted diligently to completion upon such further terms and conditions as may be prescribed therein.

(f) No total or partial assignment, transfer, sublease, gift or grant of control shall be valid for any purpose unless first approved by the Commission.

(g) Every such grant shall be subject to such rights-of-way over the lands embraced therein for such sewers, pipelines, conduits, and for such telephone, telegraph, light, heat or power lines as may from time to time be determined by the Commission and the same shall be subject to such rights-of-way for such streets and other highways and for such railroads and other means of transportation as shall have been duly established or shall be reserved in such grant. No such grant shall ever be made that shall provide for any use of the property or for the construction or placing of any structure, building or other improvement thereon that shall interfere with any plan approved or adopted by the Commission for harbor improvements or for the development of facilities for the promotion and accommodation of commerce, navigation, recreation or fishery or for providing railroad or other terminal facilities.

(h) Every such grant shall prescribe that upon the expiration thereof, all wharves, piers, docks, slips, bulkheads, seawalls and channels, constructed or maintained thereunder, shall be and become the property of the City without compensation therefore to the grantee or holder thereof; and as to the other permanent structures or improvements constructed or maintained thereunder,

shall prescribe whether the same shall become the property of the City without compensation or upon compensation to be paid to such grantee or holder, or shall be removed by such grantee or holder at his own expense.

(i)

The Commission shall have power to declare a forfeiture of any such grant upon the neglect, failure or refusal of the grantee thereof to comply with any of the terms or conditions thereof. Upon any such forfeiture, any and all buildings, structures and improvements of whatsoever character, erected, installed, or made under, through or because of, or pursuant to the terms thereof, shall immediately ipso facto become the property of the City, and every such grant shall so provide.

(j)

Grants of franchises, permits, leases, revocable permits and assignments provided for herein shall be made only upon written application therefore submitted to the Commission, which application shall set forth such information as the Commission may require and, when prescribed by the Commission, such application shall be accompanied by a fee to cover the expenses of making any such grant.

(k)

The Commission shall have power to enter into agreements with other agencies owning or operating facilities outside the Harbor District for the purpose of purchase, lease or other use or service of their facilities in order to facilitate the unified management and control of transportation facilities providing essential services to the Harbor District.

### **Sec. 1208. - LEASING AND OPERATION OF RAILROAD FACILITIES.**

The Commission shall have power to contract for or permit the operation of trains and cars upon the municipal terminal railroad of the City upon such terms and conditions as it may prescribe. In order to provide for the unified or joint operation and control of railroad facilities in the Harbor District, both municipal and private, the Commission shall have power:

(a)

To lease all necessary privately-owned railroads, tracks, facilities and adjuncts and to operate, or provide for operation of, the same in conjunction with the municipal terminal railroad; or

(b)

To lease the municipal terminal railroad to an association, corporation or company for the purpose of operating the same together with all other privately-owned railroads, tracks, facilities, and adjuncts in the Harbor District necessary to provide unified or joint operation and control of all such facilities; provided, that any such lease shall be by ordinance and subject to the referendum provisions of this Charter.

### **Sec. 1209. - FINANCE.**

(a)

All money received or collected from or arising out of the use or operation of any harbor or port improvement, work, appliance, facility or utility, or water craft, owned, controlled, or operated by the City in or upon or pertaining to the lands and waters under control and management of the Harbor Department; all tolls, charges and rentals collected by the Harbor Department, and all compensations or fees required to be paid for services, franchises or licenses, or otherwise by law or ordinance or order, to the City for the operation of any public service utility upon lands and waters under the control and management of the Harbor Department, shall be deposited in the City Treasury to the credit of the Harbor Revenue Fund, which fund has been heretofore created and established and is hereby continued, and shall be kept separate and apart from other monies of the City. Said fund shall be a continuing fund not subject to transfer at the close of the fiscal year.

(b)

The money deposited in the Harbor Revenue Fund may, from time to time, be invested in accordance with the provisions of applicable legislation of the State of California providing for the investment and reinvestment of any monies in any sinking fund, or any surplus monies in the treasury of cities in the State, all interest, earnings, income or profits from the investment of said money shall likewise be deposited to the credit of said fund.

(c)

Monies credited to the Harbor Revenue Fund may be appropriated and used only for the following purposes:

(1)

For the necessary expenses of promoting, conducting, managing and operating the Harbor Department, including, but not limited to, the operation, repair and maintenance of all harbor or port improvements, works, utilities, appliances, facilities and water craft, owned, controlled or operated by the City, for the promotion and accommodation of commerce, navigation, recreation or fishery, or used in connection therewith;

(2)

For the acquisition, construction, completion and maintenance, to the extent and in the manner permitted by all applicable law, of harbor and port improvements, buildings, work, utilities, appliances, facilities, and water craft, for the promotion and accommodation of commerce, navigation, recreation or fishery, or used in connection therewith, and for all other improvements and betterments authorized by law to lands and property under the control, supervision and management of the department, including the purchase or condemnation of necessary lands and other property and property rights, except that condemnation of property outside of the Harbor District shall require the consent of the City Council;

(3)

For the payment of the principal or interest, or both, of harbor improvement bonds, either general obligation bonds or revenue bonds, issued for harbor improvements;

(4)

For the transfer to the Tideland Operating Fund at the beginning of a fiscal year from revenues in the Harbor Revenue Fund of such sums as shall have been determined by the City Council, by a vote of two-thirds (2/3) of all its members, expressed by resolution, to be required to meet the lawful obligations of the Tideland Operating Fund; provided, however, that such sums designated shall not exceed ten percent (10%) of the net income of the Harbor Department as shown on the most recent available independently audited financial statements; and further provided that such transfer of funds shall be subject to the prior approval of a majority of all members of the Board of Harbor Commissioners, expressed by resolution, finding and determining that the funds proposed to be transferred will not be needed for Harbor Department operations, including, without limitation, operating expenses and capital projects, and that such transfer will not result in insufficient funds to pay the principal and interest as they fall due, or otherwise impair the ability to meet covenants, of general obligation or revenue bonds issued for harbor

purposes. All such transfers shall be made by journal entry on the books of the City in the manner determined by the City Manager.

(d)

All reimbursements, repayments and approved reimbursement transfers from other established funds may be used for the same purposes as specified above. All such reimbursement transfers shall be made by journal entry on the books of the City in the manner determined by the City Manager.

### **Sec. 1210. - ANNUAL BUDGET.**

The Commission shall, not later than sixty (60) days prior to the beginning of each fiscal year, adopt and transmit a departmental budget for the forthcoming fiscal year covering the anticipated revenue and the expenditures of the Harbor Department, wherein shall be stated the amount necessary, if any, to be raised by tax levy. Such departmental budget shall conform to the general City budget. Two certified copies of said budget shall forthwith after adoption by the Commission, be filed with the City Clerk for presentation to the City Council and one certified copy shall forthwith be filed with the City Auditor. Such budget shall be subject to the approval of the City Council as is provided in this section. The City Council shall, not later than the first day of July of each calendar year, approve the budget adopted by the Commission or shall amend said budget and approve the same as amended not later than the first day of July of each calendar year.

The City Council may appropriate such amounts as it may deem necessary and proper to be expended pursuant to said annual departmental budget, and such amounts thus appropriated shall be included in said annual departmental budget as anticipated revenue of the Harbor Department. In the event the City Council shall not approve said budget or amend the same and adopt said budget as amended on or before said first day of July, the same shall become effective as the official budget of the Harbor Department for the forthcoming fiscal year. In the event the City Council shall amend said budget and approve the same as amended as above provided, a certified copy of said approved budget as amended shall be filed with the Commission and the City Auditor.

No expenditure shall be made or financial obligation incurred by the Commission, its officers or employees, except as authorized by said annual departmental budget. Said budget, when effective, shall constitute an appropriation covering the anticipated revenues and expenditures of the Harbor Department as therein set forth.

### **Sec. 1211. - BOND INDEBTEDNESS.**

(a)

The proceeds from the sale of bonds now authorized or which shall hereafter be authorized for port or harbor purposes, shall be under the control of and expended by the Commission, and shall be expended for the objects and purposes for which the indebtedness was incurred. Whenever it is desired to incur additional general obligation bonded indebtedness for any object or purpose consistent with its general powers, the Commission shall prepare tentative plans and estimates and submit its recommendation in writing to the City Council.

(b)

The Commission shall be authorized, with the approval of a majority of all members of the City Council, to provide without an election for the issuance of revenue bonds secured by the revenues of the Harbor Department, including but not limited to revenues from the operation of the port and harbor facilities of the City as the facilities now exist or may later be extended or improved, for the purpose of acquiring, providing for, erecting, constructing, reconstructing, replacing, extending, or improving such improvements, utilities, structures, water craft, appliances, facilities and services as the Commission may deem necessary or convenient for the promotion or accommodation of commerce, navigation, recreation or fishery or for any use in connection therewith, or upon the lands and waters, or interest therein, in the possession and under the management, supervision and control of the Commission, or for the payment of the cost of acquiring or taking such real property or any interest therein, that the Commission may deem necessary or convenient for such purpose. The procedure for issuance of revenue bonds by the Harbor Department shall be established by procedural ordinance of the City Council.

Notwithstanding all or any part of this section, nothing herein shall be construed as a limitation upon the power of the City or of any department thereof to issue revenue bonds without an election, under state law or procedural ordinance.

### **Sec. 1212. - MONIES ON HAND.**

All money deposited in the City Treasury to the credit of the Harbor Bond Redemption and Interest Fund, which fund has been heretofore created and established and is hereby continued, shall be used solely and exclusively to pay the principal and interest on all general obligation bonds issued by the City of Long Beach for harbor purposes. Said fund shall be a continuing fund not subject to transfer at the close of the fiscal year. When there shall have been deposited in such fund sufficient money to pay the principal and interest on any and all outstanding bonds, thereafter, and until there may be other such bonds outstanding, no further deposits shall be made into said fund. All money which would otherwise be deposited therein, including interest increments, shall be paid into the Harbor Revenue Fund. The money deposited in the Harbor Bond Redemption and Interest Fund may be invested in accordance with the provisions of applicable legislation of the State of California providing for the investment and reinvestment of any monies in any sinking fund, or any surplus monies in the treasury of cities in the State. A separate fund or funds may be established for the purpose of paying, or securing the payment of, revenue bonds for harbor purposes and the pledge of revenue to such funds may have priority over any allocation of revenues to pay the principal and interest of general obligation bonds.

### **Sec. 1213. - DUTIES OF CITY TREASURER.**

All monies under the control of the Commission shall be immediately paid over to the City Treasurer, who shall have the care and custody of said funds, and shall keep separate accounts thereof, and pay out the same, as provided in this Charter.

**Sec. 1214. - CONTRACTS.**

All contracts, except where the expenditure involved does not exceed the amount established by ordinance of the City Council for City departments shall be made and entered into upon competitive bidding in the manner and form as provided in this Charter. All powers and duties therein conferred or imposed upon the City Council in relation to all matters connected with the Harbor District, are hereby conferred and imposed upon the Commission. All powers and duties therein conferred or imposed upon the City Manager, in relation to all matters connected with the Harbor District are hereby conferred and imposed upon the Executive Director of the Harbor Department. Plans and specifications at the time of publication of notice inviting such bidding must be on file in the office of the Commission, subject to public inspection. Except as otherwise provided, all supplies and/or materials not required to be obtained upon competitive bidding, or for actual emergency work, shall be procured for the Commission by the City Purchasing Agent, in accordance with procedures prescribed therefore by the City Manager.

**Sec. 1215. - BUILDING PERMITS.**

No person or persons shall construct, extend, alter, improve, erect, remodel or repair any pier, slip, basin, wharf, dock or other harbor structure, or any building or structure within the Harbor District without first applying for and securing from the Commission a permit so to do, in accordance with the rules and regulations adopted by it. In approving or denying the right to said permit, the Commission shall consider the application therefore, the character, nature, size and location of the proposed improvement and exercise a reasonable and sound discretion during said consideration.

Such permit shall be in addition to any permit which may be required by law from the Superintendent of Building and Safety of the City.

**Sec. 1216. - PUBLIC STREETS.**

Whenever the Commission shall determine that it is necessary to open, close, improve, alter or vacate a dedicated public street, or part of a street, or easement within the Harbor District, a certified copy of the resolution so determining such necessity shall be filed by the Commission in the office of the City Clerk, whereupon the City Engineer and the City Council may initiate and carry to completion the proceedings necessary to effect said proposal.

**Sec. 1217. - CONFLICT WITH OTHER PROVISIONS.**

The provisions of this Article shall supersede and control all other provisions of the Charter in conflict therewith. To all other extents, the powers, duties and functions heretofore vested in the City Council, or any of the officials, boards, or departments of the City shall be unimpaired.