

File No. 240746

Committee Item No. 3

Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date July 24, 2024

Board of Supervisors Meeting Date July 30, 2024

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PW Order No. 205922 1/6/2022</u> |
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Completed by: Brent Jalipa Date July 18, 2024

Completed by: Brent Jalipa Date July 25, 2024

1 [Assignment Street Flower Market Permit - Market Street Flower Market]

2

3 **Resolution approving the assignment of the Market Street Flower Market permit from**
4 **Byron Yoanidis, dba Trolley-Car Flowers, to Andrew Poulos, dba Trolley-Bus Flowers.**

5

6 WHEREAS, Article 5 of the San Francisco Public Works Code regulates Street Flower
7 Market permits, and Public Works Code, Section 155, designates specific locations for these
8 permitted vendors, and “the Market Street Flower Market” is one of the enumerated locations;
9 and

10 WHEREAS, Byron Yoanidis, dba Trolley-Car Flowers has operated as a permittee in
11 the Market Street Flower Market for many years, at the assigned Market Street Flower Market
12 location; and

13 WHEREAS, Trolley-Car Flowers is permitted, in good-standing, and is not the subject
14 of any outstanding code violations or complaints, and has maintained insurance and paid
15 permitting fees to Public Works as required by Article 5; and

16 WHEREAS, New permits under Article 5 are not issued at this time, which requires the
17 assignment of existing permits; and

18 WHEREAS, Pursuant to Public Works Code, Section 161(l), except for limited
19 situations involving the assignment of a permit to a family member upon the death of the
20 permittee, a permit may be assigned or sold only upon approval by the Board of Supervisors;
21 and

22 WHEREAS, Trolley-Car Flowers’ requested assignment of its permit must be approved
23 by the Board of Supervisors; and

24 WHEREAS, Andrew Poulos, dba “Trolley-Bus Flowers,” the proposed assignee of the
25 permit, has provided the necessary insurance to take on the permit obligations of Trolley-Car

1 Flowers, has satisfied residential requirements for permittees, and will be assessed permitting
2 fees upon transfer; and

3 WHEREAS, Activations of public space through retail uses can mitigate blight and
4 celebrate the character of the City; and

5 WHEREAS, The Director of Public Works has recommended the approval of the
6 proposed assignment in Public Works Director’s Order No. 205922, subject to certain
7 conditions; said Director’s Order is on file with the Clerk of the Board of Supervisors in File
8 No. 240746 and is incorporated herein by reference; now, therefore, be it

9 RESOLVED, That the proposed assignment of the Market Street Flower Market Permit
10 from permittee Byron Yoanidis, dba “Trolley-Car Flowers,” to Andrew Poulos, dba “Trolley-Bus
11 Flowers” is approved, subject to the conditions specified in Public Works Director’s Order No.
12 205922.

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San Francisco Public Works
General – Director’s Office
49 South Van Ness Ave., Suite 1600
San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 205922

**AUTHORIZING THE ASSIGNMENT OF
THE MARKET STREET FLOWER MARKET PERMIT
PURSUANT TO SECTION 161(I)**

January 6, 2022

Summary: Recommending approval of the assignment of a unique Street Flower Market Permit from permittee Byron Yoanidis, dba “Trolley-Car Flowers,” to Andrew Poulos, dba “Trolley-Bus Flowers,” consistent with the requirements of Article 5 of the Public Works Code.

The Director recommends that the Board of Supervisors approve the assignment of the Street Flower Market Permit based on the following:

WHEREAS, Article 5 of the San Francisco Public Works Code regulates Street Flower Market permits, and Public Works Code Section 155 designates specific locations for these permitted vendors, and “the Market Street Flower Market” is one of the enumerated locations; and

WHEREAS, Byron Yoanidis, dba Trolley-Car Flowers has operated as a permittee in the Market Street Flower Market for many years, at the assigned Market Street Flower Market location; and

WHEREAS, Trolley-Car Flowers is permitted, in good-standing, and is not the subject of any outstanding code violations or complaints, and has maintained insurance and paid permitting fees to Public Works as required by Article 5; and

WHEREAS, New permits under Article 5 are not issued at this time, which requires the assignment of existing permits; and

WHEREAS, Pursuant to Public Works Code Section 161(l), except for limited situations involving the assignment of a permit to a family member upon the death of the permittee, a permit may be assigned or sold only upon approval by the Board of Supervisors; and

WHEREAS, Trolley-Car Flowers' requested assignment of its permit must be approved by the Board of Supervisors; and

WHEREAS, Andrew Poulos, dba "Trolley-Bus Flowers," the proposed assignee of the permit, has provided the necessary insurance to take on the permit obligations of Trolley-Car Flower, has satisfied residential requirements for permittees, and will be assessed permitting fees upon transfer; and

WHEREAS, Public Works has been in communication with the Supervisor in whose district the permittee is located, and said Supervisor has indicated an intent to sponsor a resolution approving the assignment of the permit; and

WHEREAS, Activations of public space through retail uses can mitigate blight and celebrate the character of the City.


NOW THEREFORE BE IT ORDERED THAT:

The Director recommends transferring the Street Flower Market permit from permittee Byron Yoanidis, dba "Trolley-Car Flowers," to Andrew Poulos, dba "Trolley-Bus Flowers" subject to the guidelines, as defined in [Public Works Order 175,880](#); and

Trolley-Bus Flowers' compliance with the following Hold Harmless Clause:

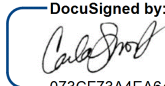
a. In consideration of the business taking advantage of public right-of-way, the business owner promises and agrees to comply with all applicable regulations.

b. In addition, the business operator agrees on its behalf and that of any successor or assignee to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (collectively referred to as the "City") from and against and all losses, liabilities, expenses, actions, claims, demands, injuries, damages, fines, penalties, suits, costs or judgements including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from (i) any act by, omission by, or negligence of, Assignee or its subcontractors, or the officers, agents or employees of either, while engaged in the practices authorized by this Order, (ii) any accident, damage, death, or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the practices authorized by this Order, (iii) any accident, injuries or damages to any person(s) or accident, damage or injury to any real or personal property, good will, in, upon or in any way allegedly connected with the practices authorized by this Order from any cause or claims arising at any time, and potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligations arises at the time such claim is tendered to business operator by the City and continues at all times thereafter. The business operator agrees that the indemnification obligations assumed under this Order shall survive expiration of the Order or completion of practices authorized by this order. The business operator shall assume all maintenance and liability associated with the items allowed to be placed in the public right-of-way under this Order.

X DocuSigned by:

Huff, Nicola 538EA14480EB46D...
Bureau Manager

X DocuSigned by:

Ko, Albert J 281DC30E04CF41A...
Deputy Director and City Engineer

X DocuSigned by:

Short, Carla 073CF73A4EA6486...
Short, Carla
Interim Director of Public Works

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only