

RESOLUTION NO. R- 2868

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND GRANTING TO THE MUNICIPALITY OF METROPOLITAN SEATTLE (METRO) PERMISSION FOR CONSTRUCTION AND INSTALLATION OF CERTAIN BUS STOP SHELTERS WHICH WILL ENCROACH UPON THE EXISTING SIDEWALK.

WHEREAS, the Municipality of Metropolitan Seattle (Metro) has requested from the City of Kirkland permission and authority to construct, install and maintain passenger shelter structures at certain identified bus stop locations, and

WHEREAS, as constructed and maintained, said bus stop shelters will encroach into the existing sidewalk area within the public right of way, and

WHEREAS, Metro, in writing, has agreed to defend and save harmless the City of Kirkland from any claim of damage or injury resulting from such encroachment, and

WHEREAS, the City Council of the City of Kirkland finds that it is in the public interest to grant such permission to Metro; now, therefore, be it

RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The City Manager, acting through the appropriate administrative departments, is hereby authorized and directed to grant to the Metropolitan Municipality of Seattle (Metro) such street use permits as are necessary and required for installation, construction and maintenance of passenger shelter structures at Metro bus stops within the City of Kirkland as may be identified or included within the scope of the Municipality of Metropolitan Seattle undertaking to defend and save harmless the City of Kirkland from any claims resulting from the encroachment of such passenger shelter structures within the City of Kirkland rights-of-way including sidewalks areas. A copy of said undertaking is attached to the original of this Resolution, and by this reference incorporated herein.

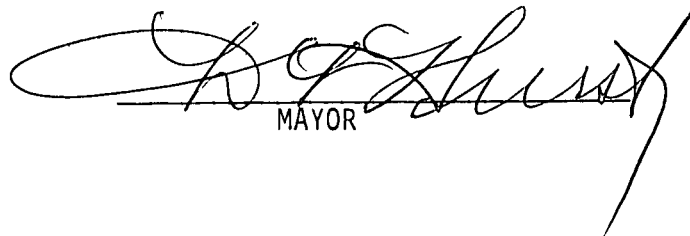
PASSED BY MAJORITY VOTE of the Kirkland City Council in regular open meeting on the 5th day of October, 1981.

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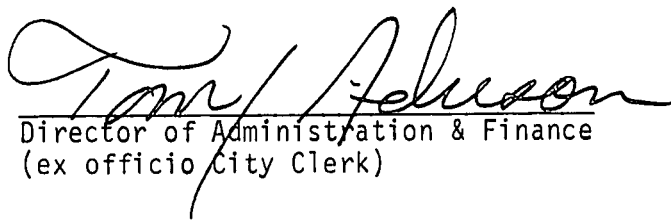
12A



SIGNED IN AUTHENTICATION thereof on the 5th day of October,  
1981.

  
MAYOR

Attest:

  
Director of Administration & Finance  
(ex officio City Clerk)





Municipality of Metropolitan Seattle

Exchange Bldg. • 821 Second Ave., Seattle, Washington 98104

August 26, 1981

Mr. Bruce Lorentzen  
Building Department Manager  
City of Kirkland  
210 Main  
Kirkland, WA 98033

RECEIVED

AUG 28 1981

CITY OF KIRKLAND  
BUILDING DEPT.

Dear Mr. Lorentzen:

Bus Shelter Program  
Site 6267 - Kirkland Avenue & 3rd Street

Reference is made to your telephone conversation with Ms. Susan Solberg of our staff concerning the bus passenger shelter Metro proposes to install on the south side of Kirkland Avenue approximately 250 feet east of the center line of 3rd Street in the City of Kirkland. We are enclosing two copies of the site plan which shows the proposed location and details of the shelter.

The structure does not have the necessary 8 foot minimum clearance from the ground as required by the City's Building Code. The design clearance of the proposed shelter is 7.5 feet, which provides more protection for users from prevailing winds and rain. In fact all of Metro's 1200 shelters are installed with either a 7 or 7½ foot clearance.

By this letter Metro is applying for a variance from the minimum clearance requirement and hereby agrees to hold the City of Kirkland harmless from and against any and all claims, demands, loss, damage, expense and liability of every kind and description including personal injury suffered by the City, its successors and assigns, or by any persons or corporations because of the construction, maintenance, existence and/or use of said bus passenger shelter. Enclosed is a certified copy of Resolution No. 2628 adopted by the Council of the Municipality of Metropolitan Seattle authorizing its Executive Director or his designee to execute certain franchises, hold harmless and permit agreements.

Mr. Bruce Lorentzen  
August 26, 1981  
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We trust this letter handles the situation to your satisfaction and that you will be able to grant the necessary variance to allow the installation.

Thank you for your cooperation in this matter.

Very truly yours,

*Raymond Drebin*

Raymond Drebin, Supervisor  
Right of Way and Property

RD:sml  
Enclosure

cc: Mr. Fred French  
Traffic Engineer  
City of Kirkland

RESOLUTION NO. 2628

A RESOLUTION of the Council of the Municipality of Metropolitan Seattle authorizing the Executive Director or his designee to execute franchise, hold harmless and permit agreements and superseding Resolution No. 2259.

WHEREAS, the implementation of comprehensive planning for the Municipality's metropolitan water pollution abatement and public transportation functions requires the construction and installation of various temporary and permanent public facilities; and

WHEREAS, the particular design or location of said facilities may necessitate the execution of special franchise, hold harmless and permit agreements with private or governmental property owners or with local, state or federal governmental agencies regulating or participating in the funding of the construction of the facilities; and

WHEREAS, by Resolution No. 2259 adopted February 20, 1975, the Council authorized the Executive Director to approve various franchise, hold harmless and permit agreements to facilitate the construction or installation of particular public transportation facilities; and

WHEREAS, it is desirable to extend the authority of the Executive Director or his designee to approve and execute such agreements for both water pollution abatement and public transportation projects;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Metropolitan Seattle as follows:

Section 1. The Executive Director is hereby authorized to approve and execute special franchise, hold harmless and permit


agreements, with property owners and governmental agencies as may be required for the location, construction or installation of temporary or permanent metropolitan water pollution abatement and public transportation facilities.

Section 2. The Executive Director is authorized to delegate said approval and execution authority to other personnel of the Municipality upon such terms and for such purposes as may be in the best interests of the Municipality, provided, that the Municipality's monetary obligation for said franchises and permits shall not exceed \$500. The delegation to the Right of Way and Property Supervisor of the Municipality of said approval and execution authority, including but not limited to bus stop permits and street use permits, is hereby approved.

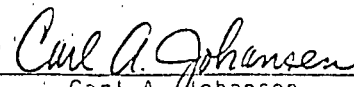
Section 3. Franchise, hold harmless and permit agreements previously approved and executed by the Executive Director, by his designee or by the Right of Way and Property Supervisor for purposes of locating, constructing or installing metropolitan water pollution abatement and public transportation facilities are hereby ratified and approved.

Section 4. Resolution No. 2259 adopted February 20, 1975 is hereby superseded.

ADOPTED by the Council of the Municipality of Metropolitan Seattle at a regular meeting thereof held this 7th day of October, 1976.

  
C. Carey Donworth  
Chairman of the Council

ATTEST:

  
Carl A. Johansen  
Clerk of the Council

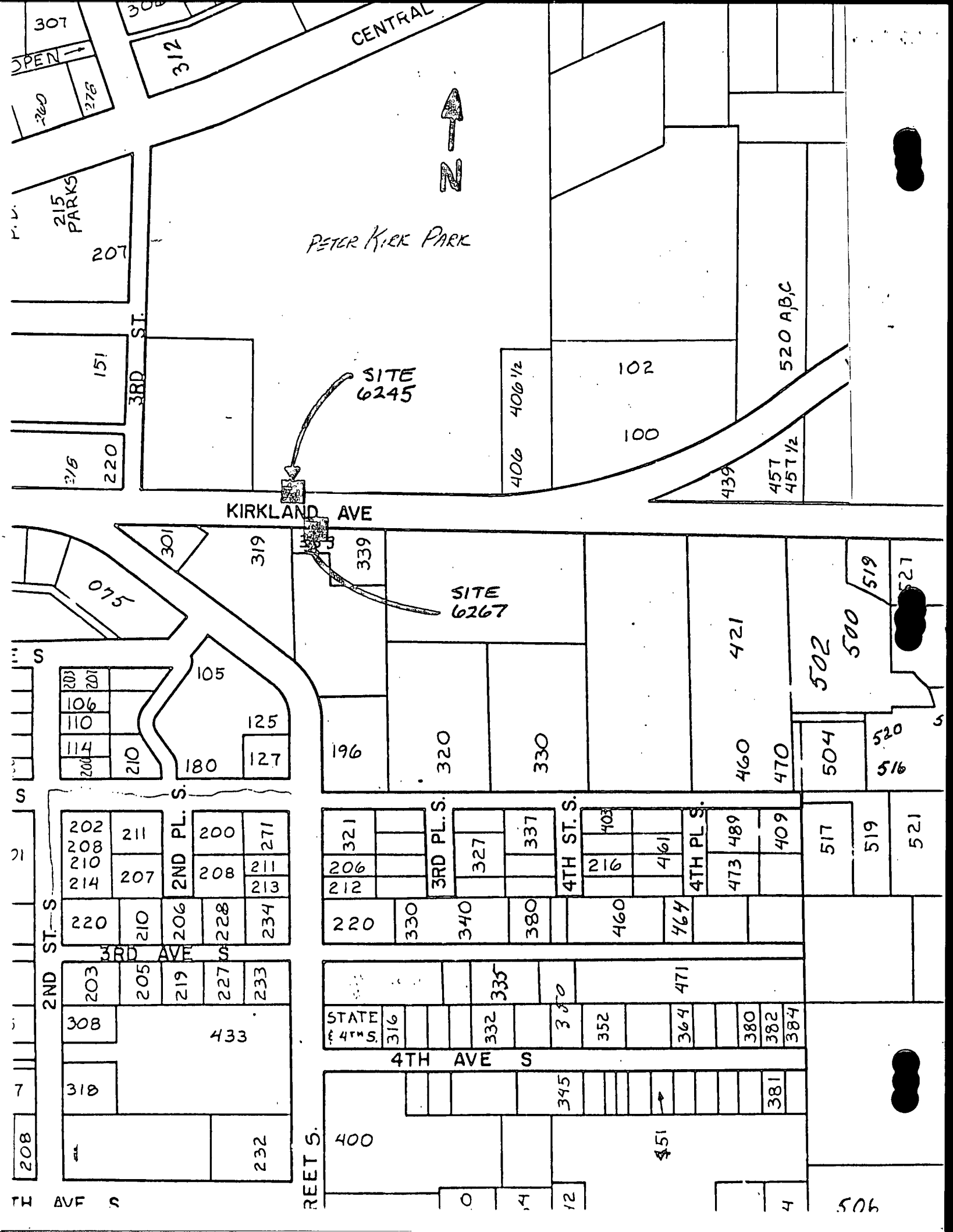


I, MAUREEN VARNI, Clerk of the Council of the Municipality of Metropolitan Seattle, DO HEREBY CERTIFY that the foregoing resolution and any exhibits referenced therein of Resolution 2628 of said Council duly adopted at a regular meeting thereof held on the 7th day of October, 1976, signed by the Chairman of such Council in attendance at such meeting and attested by myself in authentication of such adoption.

*Maureen Varni*

Maureen Varni  
Clerk of the Council

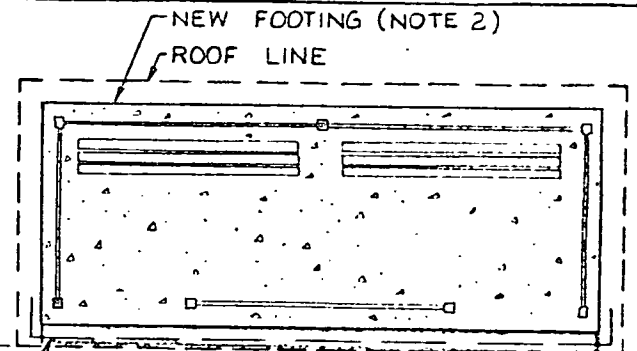
Dated: August 26, 1981



**NOTES:**

1. NEW CONC. PAD/L. RECEPT.
2. CONSTRUCT FTG THICKNESS AS REQ'D TO BRING FTG UP TO GRADE.

SCALE: 1" = 10'  
 SW 5-23-5  
 PERMIT REQ' MENT =  
 6.5' x 136' + 1' x 3'

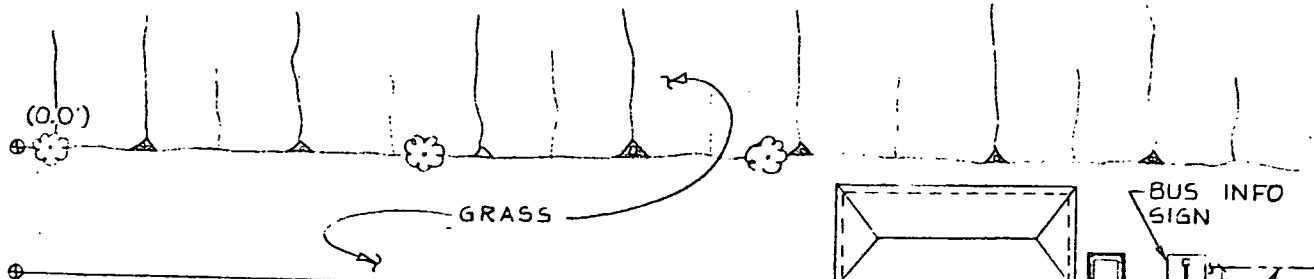


EXIST. CONC. SIDEWALK

DIVERTER

PLAN  
 SCALE: 1/4" = 1'

3RD STREET



(0.0')

(0.5')

(0.5')

180' ±

KIRKLAND AVE

22'

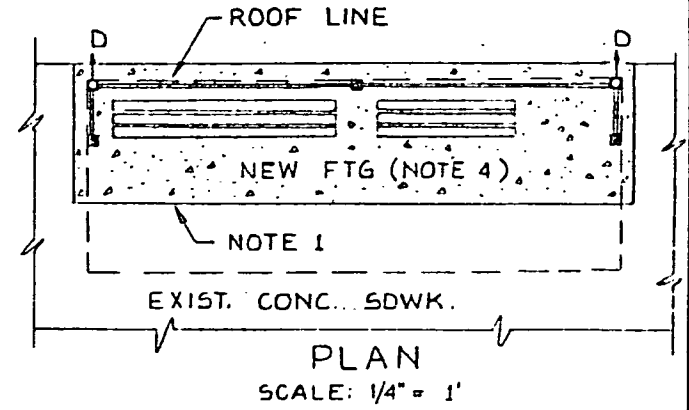
30'

	TYPE	MATERIAL
FRAME	F14	STEEL
ROOF	R42	METAL
PANELS		
NORTH	2P23+2P13	GL + GL
EAST	P22 + P12	GL + GL
SOUTH	P23 + P13	GL + GL
WEST	P22 + P12	GL + GL
FOOTING	B1 + B1	CONC.
PAVING	AS SHOWN	CONC.
BENCH	2-S12	WOOD
LIGHT	-	-
LITTER	1	

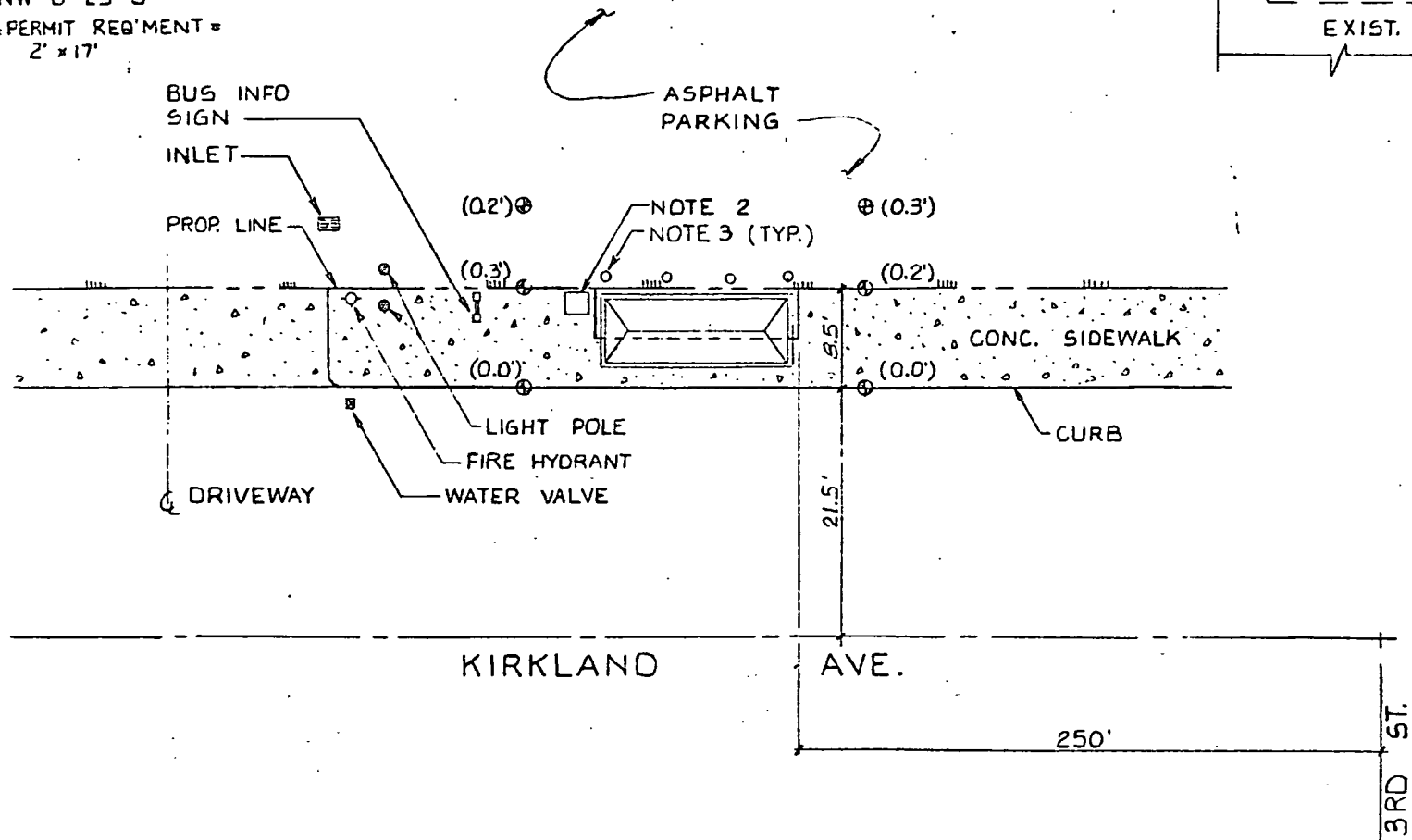
DESIGN	DRAWN	DIVISION	MUNICIPALITY OF METROPOLITAN SEATTLE	DATE:
	J.S.	TRANSIT	KIRKLAND AVE & 3RD STREET	JUL 81
			SITE 6245	FILE NO.
				SHEET

**NOTES:**

1. SAW CUT EDGE OF CONG. SIDEWALK.
2. LITTER RECEPTACLE.
3. NEW CONG. POSTS DET. "A" SHT. 5 (PERMIT REQ'D \*)
4. CONSTRUCT FTG WALL AS REQ'D TO PROVIDE 7.5' MINIMUM CLEARANCE BETWEEN FRAME BOTTOM EDGE AND CONG. SIDEWALK SURFACE.



SCALE: 1" = 10'  
NW 8-25-5  
\*PERMIT REQ'MENT =  
2' x 17'



	TYPE	MATERIAL
FRAME	F31 + F32	STEEL
ROOF	R 32	METAL
PANELS		
NORTH	-	-
EAST	P24 + P34	GL + WD
SOUTH	2P23 + 2P33	GL + WD
WEST	P24 + P34	GL + WD
FOOTING	B 2 + B 2	CONC.
PAVING	-	-
BENCH	511 + 512	WOOD
LIGHT	-	-
LITTER	1	

DESIGN	DRAWN J.S.	DIVISION	MUNICIPALITY OF METROPOLITAN SEATTLE	DATE: JUL. 01
		TRANSIT	KIRKLAND AVE & 3RD STREET	FILE NO.
			SITE 6267	SHEET