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Bridge Bonds for West Approaches to the Hawthorne Bridge (Multnomah County Measure); Special Tax for Trunk Sewers (Portland Measure 53); Repealing Ban, Licensing Pinballs, Other Devices (Portland Measure 56)

City Club of Portland (Portland, Or.)

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REPORT
ON
BRIDGE BONDS FOR WEST APPROACHES
TO THE HAWTHORNE BRIDGE

Shall \$1,500,000 in bridge bonds be issued by Multnomah County, Oregon, for the construction, improvement and reconstruction of west approaches to the Hawthorne Bridge crossing the Willamette River in Portland, Oregon?

TO THE BOARD OF GOVERNORS
THE CITY CLUB OF PORTLAND:

Your Committee was assigned the task of studying and reporting on the county ballot measure which will appear on the November 6, 1956, election ballot to issue \$1,500,000 in bridge bonds for west approaches to the Hawthorne Bridge in Portland.

SOURCES OF INFORMATION

The personnel of your Committee has long been studying the problem of Trans River Transportation in Portland and has gained through its many months of study and research a considerable background on bridge traffic problems.

The Committee also consulted for discussion on this specific measure, Paul C. Northrup, County Roadmaster, Lloyd Keefe, Director, City Planning Staff and Fred Fowler, former traffic engineer of the City of Portland.

GENERAL DISCUSSION IN FAVOR OF THE MEASURE

Hawthorne Bridge approaches have always been a bottleneck. With grade crossings at the east end at Union and Grand Avenues, as well as the Southern Pacific tracks, and at the west end at Front Avenue, congestion with serious traffic delay is inevitable.

A sum remaining from a former appropriation was available to overpass the railroad tracks. Accordingly construction of the East approach has been under way for some time, having been decided upon at the time the bonds for the Morrison Bridge were voted by the electorate so that the east approaches of both structures could be designed similarly and let under a single contract, thus saving considerable engineering costs. However, the amount at hand does not leave anything for the west approach after the east is completed.

Obviously with this improvement of facilities at the east end, traffic will increase and it certainly would not be reasonable to let it get on at the east end without providing a means to get it off at the west end. Likewise, there would be no object in providing an outlet at the east end unless there were a corresponding inlet which would enable it to be used to capacity.

To meet this situation the proposed structure will be of the typical "cloverleaf" pattern. There will be a direct approach from the west by way of Madison Street with the ramp starting at First. There will be a two-lane "off" ramp terminating at First and Main, and a one-lane "off" ramp to the northbound lane of Front Avenue and Southbound lane of Harbor Drive. Correspondingly there will be single lane "on" ramps from both Harbor Drive and Front Avenue.

It has been shown from experience that drivers will go out of their way to follow a more convenient route. This has been demonstrated outstandingly by the experience of the Steel Bridge where traffic jumped from 16,000 to 43,000 vehicles per day after the present approaches were built on that structure.

Present capacity of the Hawthorne Bridge is 28,000 cars per day, but with serious congestion. It is expected that, with new approaches as planned, the bridge will carry 35,000 without congestion.

An important consideration is the relief that will be afforded Ross Island Bridge by diversion of traffic therefrom. The latter, because of its restricted width, is the scene of more accidents than any other bridge in the city. In 1955 there were 343 accidents on Ross Island as compared with 135 on Broadway and 50 on Steel, although it carried less traffic than either of the others.

As to the cost: It is proposed to issue twenty-year bonds in the amount of \$1,500,000 to be retired in equal amounts annually, that is, at the rate of \$75,000 per year. It is estimated by the County Commissioners that these could be marketed at an interest rate not to exceed 2.75 percent. Thus the first year's cost would be \$116,250, or \$75,000 for retirement and \$41,250 interest on the full amount of the issue. The interest will, of course, decrease as the bonds are retired year by year, so that the total amount for the last year would be \$77,062.50. Since the present assessed value of the county is \$834,000,000, the first year's—and greatest—increase in the tax rate for this purpose would be slightly less than one-seventh mill. Outstanding county bonds, as of June 30, 1956, are \$16,308,000 as against a bond limit based on present assessed valuation of \$50,000,000. These bonds are being paid off year by year so that the issuance of the bonds called for by this measure actually will not increase the county's annual debt requirements.

DISCUSSION AGAINST

It is the policy of the City Club, in such studies as this, to collect all available evidence pro and con on the subject under consideration. However your Committee was unable to find anyone to present an argument against it.

CONCLUSION

Your Committee has studied the measure and finds that it appears to be feasible from both an economic and financial standpoint.

Through discussion with both city and county administrative officials connected with traffic functions, the Committee has determined that the county's plan for improved bridge access and egress ties in with the city's needs and that coordination of planning is evident.

The financing of the needed construction of improved West approaches appear to impose no appreciable added burden on the taxpayers.

The need for the improved bridge construction is apparent and pressing.

RECOMMENDATION

Therefore, your Committee recommends that the City Club go on record as favoring a "Yes" vote on the county ballot measure to issue bridge bonds.

Respectfully submitted,

Harold O. Brevig
Carmie Dafoe, Jr.
Hollis Johnston
Thornton Munger
Jonathan U. Newman
Orrin E. Stanley
Leroy Palmer, Chairman

**REPORT
ON
SPECIAL TAX LEVY FOR TRUNK SEWERS**

TO THE BOARD OF GOVERNORS
THE CITY CLUB OF PORTLAND

Your committee was appointed to review and appraise the sewage disposal problem of the Portland Metropolitan Area but before the committee held its first meeting it was asked to report on the measure which will appear on the City Ballot Tuesday, November 6, 1956, to provide a special tax levy for a five year period for replacing, enlarging, relieving and inter connecting existing trunk sewers.

SCOPE OF INVESTIGATION

Your committee has interviewed the Commissioner of Public Works, representatives of the City Engineer's office, and the City Attorney; and has examined reports from the City Engineer's office concerning maintenance and repairs to existing sewers. It has failed to find any definite opposition to the measure, in fact, it has failed to find any group that has yet made a study of the matter. The absence of opposition, or even study by any of the organizations contacted, has to some degree handicapped the committee in its effort to analyze critically the implications of the measure.

WHAT IS THE MEASURE?

The Measure would levy a special tax, beginning with the fiscal year 1957-58, for five consecutive years of one and one-half mills on each dollar of assessed valuation of all property in the City Portland, not tax exempt, or a total of \$1,000,000.00, whichever is the lesser. The proceeds are to be placed in a special fund to be called "City of Portland Trunk Sewer Fund". The money in the fund is to be expended "as the Council may find necessary, appropriate or expedient" for the "replacement of existing trunk sewers found to need reconstruction, construction of additional relief sewers primarily designed to relieve existing over-loaded trunk sewers, enlargement of existing sewers and construction of trunk sewer inter-connections." The cost of engineering design and preliminary work is to be a part of the construction cost covered by this levy.

FACTS AND OPINIONS DEVELOPED BY INVESTIGATION

Your committee investigated this measure on two counts: First—The need for improvements to the existing sewer system; Second—The method of financing.

Very simply, a sewage system consists of trunk sewers which collect the flow from lateral branches to which in turn the individual connections from houses, buildings, etc. are connected. Trunk sewers take the flow to the outfall or interceptor system that finally disposes of the sewage. There seldom are individual connections to a trunk sewer.

Portland, according to the City Engineer's report of June 30, 1955, has 1,321.95 miles of sewers of which 100.74 miles are trunk sewers all of which was laid prior to

June 30, 1950. Some of these trunks are 50 or more years old. When Portland was smaller and not as densely built up the design factor envisaged a 30% runoff while today some areas have an 80% runoff. Consequently during heavy rainfalls the existing trunks are heavily overloaded with resulting blowing of manholes, flooding of basements, and failures of the trunk itself. In some cases, original trunk sewers were adequately designed for then existing areas but subsequent extensions of the city boundaries have added an increased load that was never contemplated. Most of the trouble is occurring in the 8" to 18" trunk sewers. The problem is very critical and actually this measure is a stop gap matter as about four to eight times the amount of the requested levy would be needed to completely correct this defect in the system. During the 1954-55 year the Sewer Division of the city expended \$416,901.60 for labor, materials and equipment in the maintenance of routine jobs. The 1956-57 budget has only \$386,412.00 allocated for the same work.

The City Engineer's office has a general outline of the areas in which this work will be done. When this measure was first placed before the council there was some criticism that it was not specific in listing the exact location of the work to be done. This measure will be an amendment to the City Charter and if the exact work were specified it would make it impossible to use these funds to take care of more serious failures that might appear after passage of the measure. There is also always the question as to whether such a broad document as the charter should include such minutia.

Your committee has examined the proposed method of financing this work. On the original installation of a sewage system the property affected is assessed for its proportionate share of the system. There was much discussion as to why a second assessment should not be made on those areas in trouble rather than a general levy on all property in the city. Legal opinion is that while there seems to be nothing to prevent such an assessment it would probably lead to prolonged litigation over the matter. The cost of the work required, at today's prices and with utilities, streets, etc., already in, might in some areas exceed or be out of proportion to the assessed valuation of the property affected. Delay caused by litigation or other tactics might well affect the entire city adversely as this is an emergency. A bond issue might have been proposed, but that is a more expensive method due to interest rates. A bond issue for only part of the long range work necessary would be short sighted and the chances of the voter approving a bond issue for four to eight times the proposed total sum are questionable as the voters are generally reluctant to approve such measures. A pay as you go system is much more satisfactory. A levy as proposed would spread the cost over the entire city, and renewals at five year periods, or the adoption of a sewage tax, would eventually provide correction for the full city system.

CONCLUSION AND RECOMMENDATION

Your committee believes that the Portland sewage system, as far as trunk sewers is concerned, is in a very serious situation and that a general levy for correcting the immediate emergency is justified. The City Council should be congratulated for proposing this method at this time, but before proposing a renewal of the levy five years from now a thorough study of a possible continuing sewage charge against all connections to the system to provide for maintenance, repairs, and modernizing should be made.

It is the recommendation of your committee that the proposed amendment to the charter of the City of Portland should be approved by voting 53 YES.

Respectfully submitted,

Dr. O. H. Cox
Folger Johnson, Jr.
Kenneth Klarquist
Earl A. Marshall
Tom Scanlon
John K. Dukehart, Chairman

REPORT
ON
REPEALING BAN,
LICENSING PINBALLS, OTHER DEVICES

Ordinance repealing Police Code provisions prohibiting pinballs, certain other amusement devices; amending License Code to license certain pinball devices, change regulations on certain other amusement devices; including pinballs under such regulations; fixing fees for owning, leasing, vending, servicing or locating any such devices; limiting licensing to nickel and penny machines.

TO THE BOARD OF GOVERNORS
THE CITY CLUB OF PORTLAND:

The proposed ordinance assigned to this Committee for study and report was placed on the ballot by initiative petition. It is a proposed ordinance to license amusement games, including pinballs, for revenue and regulation and to Amend Article 102 of Ordinance No. 76398 (The License and Business Code), and repeal Sections 16-1129 and 16-1130 of Ordinance No. 76339 (The Police Code).

BACKGROUND

This petition is sponsored by the "Committee to Tax and License Amusement Games, Including Pinballs." John M. Healy is president. His business is the sale and distribution of pinball devices. Other members of the sponsoring committee are Robert B. Rengo, secretary and Henrietta M. Fitzjarrell, treasurer. The measure is to be voted on at the municipal general election November 6, 1956.

This initiative represents another step in the long drawn-out campaign of the pinball interests to amend Article 102 of Ordinance 76398 (License and Business Code) and repeal Section 16-1129 and 16-1130 of Ordinance No. 76339 (the Police Code). These sections prohibit sale, distribution or operation of coin-in-the-slot operated mechanical devices for a profit or prize or for the display or exercise of skill or for amusement, and whether or not any element of skill is involved in any way in operation or play. The attempt to prohibit pinball machines under the existing ordinance appears conclusive.

The proposed initiative permits the operation of pinball machines and special amusement games but prohibits a payoff or money, checks, tickets, tokens or other property to the player or players.

The initiative defines "Pinball game" as a device with the usual plunger or pusher and "designed to be used in whole or part as an instrument for the use and exercise of skill in playing a game for the amusement of the players, and which is maintained commercially or gratuitously for such purposes."

Your Committee had access to the City Club committee report of May 11, 1956, special municipal election on May 18, 1956. This ordinance was passed by a vote of 76,365 to 59,025—a majority of approximately 17,000. Since that date, pinballs of any nature have been prohibited in Portland. The purpose of the present initiative is to ascertain again the wishes of the electorate.

THE PROVISIONS OF THE PROPOSED INITIATIVE

The proposed initiative would allow any place of business, public or private club or association to install up to three pinball devices in a single location.

The measure defines "Owner" as "any person who owns, leases, lets from another, and installs or places in any location owned or controlled by himself an amusement game as defined in the initiative for the purpose of play or operation, or who leases, rents or otherwise installs or maintains any such game in or upon the property of another."

The measure classifies "Vendor" as "any person who services or repairs for another any amusement game as defined in this section and shall also mean any person who sells to another, whether by outright sale, conditional sale, or lease with option to buy."

The provision for license fees for an owner requires an annual charge of \$750.00 plus \$30.00 annually for each machine. The license fee for a vendor is \$350.00 annually with \$30.00 annually for each location.

Special amusement game fees which cover ski-ball, baseball, hockey games, shuffle boards, shuffle bowlers, miniature pool tables or other similar devices which have a scoring surface area and which are played by hand propelled balls, discs, pucks or similar objects by the exercise of skill for the amusement of the player or players, and where the payment of such play is made by the insertion of a coin or otherwise, are \$300.00 annually for an owner plus \$20.00 annual license fee for each game and \$200.00 annually for a vendor and \$20.00 annual license fee for each location.

Other provisions cover a "penny amusement game," where the consideration paid for play is not more than one cent, shall be \$25.00 annually for an owner, plus \$1.00 annual license fee for each game; \$15.00 annually for a Vendor, with \$1.00 license fee for each location.

Play by minors is prohibited.

No location license shall be issued for, nor game operated in, any building or place within 400 feet of the grounds or building of any school.

Gambling and all payoff games are prohibited.

There shall be no transfer of licenses.

Ownership is prohibited to anyone convicted of a felony and to out-of-state citizens.

Violation of any of the provisions of the initiative shall upon conviction thereof be punished by a fine of not to exceed \$500.00 or by imprisonment in the city jail for a period not to exceed six months, or by both such fine and imprisonment.

SCOPE OF RESEARCH

To ascertain a cross section of public opinion in regard to this initiative your committee called upon those informed sources which are responsible for administration and enforcement of law in the community, and upon those institutions which are recognized as having an interest in safeguarding the welfare of youth and maintaining a healthy moral tone in Portland. Among those were the city administration, the courts, the churches and the press.

Information which leads to the committee's conclusion was supplied by: Commissioners Stanley Earl and Ormond Bean of the City Council; Judge Virgil Langtry of the Court of Domestic Relations; and The Reverend Fred Broad, Executive Secretary of the Portland Council of Churches.

Your Committee also heard personal reports from Stan Terry, member of the Board of Directors of the Coin Machine Men of Oregon; and John M. Healy, president of The

Committee to Tax and License Amusement Games, Including Pinballs, who is also a member of the Board of Directors of The Coin Machine Men of Oregon.

Members of the Committee personally contacted a large number of individuals, including merchants, credit men, law enforcement officers and "just plain" citizens.

ARGUMENTS ADVANCED IN FAVOR OF THE PROPOSED ORDINANCE

1. These machines are played for amusement only. Gambling and payoffs are expressly prohibited.
2. There would be considerable accretion of revenue as a result of license fees. It was estimated by the proponents that this would be in the neighborhood of \$150,000 annually.
3. A double standard exists by banning of pinball games, since both dog and horse racing are now licensed by the state.
4. Individual freedom of action should be the privilege of every citizen in choosing his own amusement without restriction by government authority.
5. Many taverns, small restaurants and other businesses would derive considerable income from the operation of these devices. There would be proprietors and employees servicing the machines who might otherwise not be gainfully employed.

ARGUMENTS ADVANCED IN OPPOSITION TO THE PROPOSED ORDINANCE

1. Experience proves that pinballs are rarely played for amusement. People do not play pinballs merely to see the lights go on.
2. Income from pinball machines to the city while they were licensed in Portland was between \$107,000 and \$108,000 during the last year of actual legal operation. Increased cost of law enforcement would probably absorb all increased revenue.
3. Dog and horse racing are controlled by the state regulatory bodies. The state has accurate knowledge of money wagered and amounts due the state, and receives a specific proportion of the proceeds. Neither dog racing nor horse racing gambling is available on every corner or to minors. There is a limit as to time and as to location in both of these activities with which gambling is connected. No such situation would obtain in regard to pinballs.
4. Individual freedom for the few cannot be allowed to interfere with the general welfare of the many. The freedom to gamble is not such a matter of individual right as to be beyond the police power of the city, acting in the general welfare of all the people.
5. Families are impoverished by money lost on pinball machines.
6. There is danger that control of the industry would be concentrated within a few powerful circles which could wield pressure upon administrative officials in government.

CONCLUSIONS (OR DISCUSSION OF ARGUMENTS)

The argument that continuing to ban pinball games would impose a double standard is invalid since the initiative would prohibit gambling. The proponents nevertheless emphasize this point. They also suggest that golfers might bet on the golf course.

The Committee was curious about two specific prohibitions in the proposed initiative. One is the fact that minors are prohibited from playing pinball machines and the other is that which restricts locating the machines within a 400 foot radius of a school.

Irrespective of legal prohibitions, minors are allowed and do play pinball machines. Also previous experience and current arrests offer generous proof and evidence that pinballs in spite of prohibitions, do pay off.

If there is to be no gambling on pinball machines, why would these provisions be included in the proposed ordinance?

Your Committee was not impressed by the argument that dog racing and horse racing provide legal gambling, which would justify pinballs in the city. Dog and horse racing are present in the community only because of state regulation and authority. The people of the City of Portland are not asked to vote on dog and horse racing. The only issue at this time is pinball machines.

The take from pinball operation to both Owner and Vendor has been variously estimated at from 2½ to 5 million dollars, per annum. While license fees appear relatively high at \$750, the number of Owners who would pay this fee is relatively small as is indicated by the fact that past revenues to the city when pinball operation was legal only slightly exceeded \$100,000, even though previous fees charged to Owners were substantially the same.

Pinball activities have preempted an undue share of the public press within the past two weeks. Seventeen pinball machines and three digger machines in the county outside Portland have been seized. State law makes destruction of such machines necessary when used for gambling purposes. Cases are now pending against several persons for alleged illegal pay offs. Your Committee can see no difference between human nature East of 82nd Street beyond the city limits, and human nature within the City of Portland.

The difficulty of law enforcement within the municipal boundaries would certainly not be less than it is outside of Portland.

In practice, wherever there have been pinballs, there have been payoffs to the players. It is the belief of the Committee that it would take a disproportionment amount of time and effort of law enforcement officers to prevent such pay off.

Your Committee believes that there is inherent in the pinball play the element of chance, bonus and prize. Aside from the factors of economic loss and difficulty of law enforcement, it cannot escape the conclusion that pinball machines can make no contribution to a decent moral climate for the residents of Portland.

RECOMMENDATION

Your Committee therefore unanimously recommends that the City Club go on record as opposing the passage of this pinball initiative, and urges a vote of 56 X No.

Respectfully submitted,

Buford Darnall

Dudley Kleist

LaVorn Taylor

John Winkler

George Schoeffel, Chairman.

Approved October 11, 1956, by the Research Board for transmittal to the Board of Governors.

Received by the Board of Governors October 15, 1956, and ordered printed and submitted to the membership for discussion and action.