

SAVE 39th AVENUE

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FROM: Eric Fruits, Ph.D.

DATE: June 11, 2009

RE: César E. Chávez Street Renaming Process:
39th Avenue is not a valid candidate for street renaming

SUMMARY

- Portland City Code states that a street proposed for renaming (a) must start and terminate entirely within City boundaries and (b) that the name of any street shall be the same for its entire length.
- The City's property database, PortlandMaps.com, shows that 39th Avenue terminates in the City of Milwaukie. Milwaukie changed the name of a street to 39th Avenue to maintain consistency with the Portland's street names. That means that 39th Avenue in Milwaukie is a continuation of 39th Avenue in Portland. Thus, **39th Avenue cannot be a candidate for renaming.**
- The renaming applicant (a) did not submit a valid demonstration that 39th Avenue starts and terminates entirely within City boundaries, and (b) did not submit a valid demonstration that the renamed 39th Avenue would be the same for its entire length. Thus, **the applicant provided an incomplete or invalid application.**

ANALYSIS

Portland City Code 17.93.020 B. and C. state that a street proposed for renaming must start and terminate **entirely** within City boundaries and that the name of any street shall be the same for its **entire** length.

As part of the application process, City Code Section 17.93.030 A. states that the **applicant** must submit evidence that the street proposed for renaming starts and terminates entirely within City boundaries and that the name of any street would be the same for its entire length.¹

¹ Information regarding the street renaming process is available on the City of Portland website at <http://www.portlandonline.com/index.cfm?c=49742>.



39th Avenue in Portland cannot be renamed because it terminates in the City of Milwaukie

Exhibit 1, at the end of this memo shows that the City's website, PortlandMaps.com indicates nearly 20 properties are located on 39th Avenue in the City of Milwaukie.² The map also shows that the properties are located across the street (SE Roswell Street) from the City of Portland. The city limits of Portland and Milwaukie can be confirmed by referring to the following maps:

1. Portland city limits (PDF)
<http://www.portlandonline.com/shared/cfm/image.cfm?id=51672>
2. Milwaukie city limits (JPG)
<http://www.cityofmilwaukie.org/nda/ardenwald/ardenwaldlg.jpg>

A document provided by the City of Milwaukie indicates that in 1975, Milwaukie changed Kimbrough Road (north of SE Lake Road) to 39th Avenue to maintain consistency with the metropolitan grid system.³ These facts demonstrate that 39th Avenue in the City of Milwaukie is a continuation of 39th Avenue in Portland.⁴

The César E. Chávez Boulevard Committee did not submit a map that demonstrates that the street proposed for renaming starts and terminates entirely within City boundaries

The City of Portland website presents a map of street selected for potential renaming. The City has indicated that the map was produced by the César E. Chávez Boulevard Committee as part of its application for street renaming:

- ThreePortlandStreets (PDF)
<http://www.portlandonline.com/index.cfm?c=49742&a=249521>

A close inspection of the map shows that it does not satisfy the criteria specified by City Code. Thus, the renaming committee has not submitted a valid application.

1. **The map does not show the boundaries for the City of Portland.** Therefore the map does not demonstrate that the street proposed for renaming starts and terminates entirely within City boundaries.
2. **The map does not show the entire length of 39th Avenue.** It does not show 39th Avenue between SE Tenino Street and the Tideman Johnson Natural Area. In addition, it does not show 39th Avenue in the City of Milwaukie.

² An interactive map is available at <http://mapalist.com/Public/PublicMapViewShell.aspx?mapid=49204>.

³ The City of Milwaukie document is available at: <http://www.scribd.com/doc/16341716/Milwaukie-Street-Naming-Ord-1306>.

⁴ One may argue that the "break" in 39th Avenue beginning at the Tideman Johnson Natural Area provides an a terminus within the city limits. Such an argument would be inconsistent with the breaks shown by the applicant in 39th Avenue in Portland (a) at Fernhill Park and (b) between NE Wistaria and NE Alameda.



ABOUT THE AUTHOR

Dr. Eric Fruits is President of Economics International Corp. and an adjunct professor at Portland State University's School of Urban Studies and Planning. He has taught graduate-level courses in econometrics (the application of statistical analysis to economics issues) and has published several peer-reviewed papers, each of which have included statistical and econometric analysis. Dr. Fruits has provided expert opinions involving statistics to United States federal and state courts and to an international criminal tribunal. Any opinions expressed in this memo are solely the author's as an individual.

EXHIBIT 1

