

Challenge may follow renaming of Portland street for Cesar Chavez

by James Mayer and Mark Larabee, The Oregonian
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Ross William Hamilton/The Oregonian Supporters embrace Wednesday after the Portland City Council approves renaming 39th Avenue for farmworker labor leader Cesar Chavez.

The hard-won historic triumph to rename a Portland street for farmworker activist Cesar Chavez was just minutes old Wednesday when opponents started looking at a legal challenge or a charter change that could send the decision to voters.

But whether they'll go through with the fight is unclear.



Opposition leader Will Schneider said he isn't sure he wants to prolong the agony of the emotional debate. Schneider, a chiropractor, has an office on 39th Avenue -- the new Cesar E. Chavez Boulevard.

After the City Council's unanimous vote to change the name, Chavez supporters embraced Schneider outside the council chamber.

"They were sympathetic and wanting to help reconcile ill feeling, wanting to encourage Hispanics to frequent businesses on our street," Schneider said. "It's hard to get fired up with anger and passion and go after these people when they were so gracious in victory."

In the meantime, city engineers won't rush to install the new signs on the 7.22-mile street in case a lawsuit puts the brakes on the process, said Kurt Krueger, supervising engineer for the Transportation Bureau.

"I'll put in the work order this week but won't prioritize the signs over the current workload," Krueger said. It probably will become clear within two weeks whether anyone will fight the renaming, he said.

The city estimates the cost of installing signs at \$86,000, and the money is in the city budget. The 39th Avenue signs will remain for five years. The city will put up separate Cesar E. Chavez Boulevard signs.

City's renaming code

The legal challenge could be based on charges that the city didn't follow the renaming code, Schneider said.



Ross William Hamilton/The Oregonian Supporters and opponents of renaming 39th Avenue for Cesar Chavez await the Portland City Council vote Wednesday.

For example, the city allowed the committee of Chavez supporters to propose three streets for renaming even though the code says the city will consider only one application at a time. Critics also

point to code language that says the proposed street must begin and end within the city limits, and yet 39th Avenue continues in the city of Milwaukie.

They also raised questions about the sampling technique the city used to determine that the applicants gathered the required 2,500 signatures of city residents to start the renaming process.

The decision

What happened: Portland City Council members voted 5-0 Wednesday after a half-hour discussion to change the name of 39th Avenue to Cesar E. Chavez Boulevard.

Pros: A committee of supporters says the city has no public memorial to honor a Latino hero.

Cons: The name change will cause confusion and cost residents and businesses to change their addresses.

What's next: Opponents are talking about a challenge; the city is holding off on putting up signs.

The other possible route to challenge the decision would be to take the issue to voters, but there's a twist in trying that.

The Oregon Supreme Court ruled after the council changed Union Avenue to Martin Luther King Jr. Boulevard 20 years ago that a street renaming decision is administrative, not legislative, and therefore not subject to a referral to voters.

So what opponents have in mind is a city charter change that would allow street renamings to go to voters. The charter would include the 39th Avenue decision but no previous changes.

Schneider said the city surveyed 39th Avenue residents about the name change but didn't consider their response -- an overwhelming majority opposed it.

"It was: We hear you, we know you're there, but you are getting in the way of the future," he said. The decision honored Chavez but disrespected residents of the street, he said.

City councilors, however, said the change is good for the city as a whole.

Chavez, an Arizona native who organized farmworkers and brought their labor issues into the public consciousness, rightfully deserves a place in Portland alongside civil rights leaders the Rev. Martin Luther King Jr. and Rosa Parks, City Commissioner Dan Saltzman said.

"Ultimately we all are winners when our minds are opened to different perspectives and cultures," Saltzman said. "It's time to honor Cesar Chavez with a street name."

"This is history"

Proponents of the name change were relieved by the vote.

Chavez history

Cesar Estrada Chavez was born in 1927 in San Luis, Ariz., near Yuma. His family had lived there since his grandfather emigrated from Mexico.

Early life: His family lost its farm during the Great Depression and became migrant farmworkers. He served in the U.S. Navy during World War II.

Activism: Chavez and his wife taught Mexican immigrants to read and organized voting registration drives for new U.S. citizens. He and others started a union called the National Farm Workers Association, later changed to United Farm Workers. In 1968, the union organized a grape boycott urging people to stop buying California grapes until farmworkers had contracts ensuring better pay and safer working conditions.

National honor: Chavez died in 1993. In 1994, he was awarded the Presidential Medal of Freedom.

"I'm so pleased that the community is being recognized," said Marta Guembes, one of the leaders of the effort. "This is history for Portland, Oregon."

Guembes also thanked former Mayor Tom Potter, who backed both the 39th Avenue renaming and the failed 2007 attempt to rename Interstate Avenue after Chavez.

Commissioner Randy Leonard said the debate made him realize the need for people to try to understand one another.

"The part that has been the hardest in this debate for me to remain neutral about are the references to Mr. Chavez's heritage," Leonard said. "He is not an immigrant who stood up for Hispanic farmworkers but an American who fought for workers' rights."

Commissioner Amanda Fritz said that she was impressed by the thoughtful tone of the latest discussion from both sides and that she realized her vote would disappoint many, no matter which way it went.

"In the future, I believe that Portlanders will be more appreciative of having a street named for Cesar Chavez than having a street named 39th," Fritz said.

Commissioner Nick Fish lives on Northeast 39th Avenue and said he and his family would be honored to live on Cesar E. Chavez Boulevard.

Mayor Sam Adams said the "great diversity" of the Latino community isn't recognized in a significant symbol in Portland though Latino Americans have made significant contributions to the city.

"The choice before me is to vote to continue to recognize that omission or to vote to address it," he said. "I vote to address it."

Fish and Fritz said they might consider an effort to help businesses deal with the cost of the change but not immediately.

Leonard was skeptical of the merits of doing anything for the 39th Avenue businesses. He noted that e-mails he received in the couple of hours after the decision were "angry and abusive."

People have lost perspective on the issue, he said. "Nothing heals like time and love," he said.

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Decision timeline

July 2007: A group of Latino leaders approaches Mayor Tom Potter's office for help in renaming North Interstate Avenue after Mexican American farmworker rights leader Cesar Chavez.

Sept. 6: City Council unanimously adopts a resolution launching a six-week public comment period on renaming Interstate Avenue.

October: Sparks fly at two community meetings. Racial undertones mar the debate. Commissioners Sam Adams and Randy Leonard say they're looking for a compromise.

Oct. 25: The mayor walks out of a council discussion on an Adams-Leonard proposal to form a new committee that would search for the best street to honor Chavez.

Nov. 12: Businesses on North Interstate threaten legal action or perhaps a ballot initiative if the council renames Interstate.

Nov. 14: Commissioners Erik Sten and Dan Saltzman suggest renaming Fourth Avenue after Chavez.

Nov. 15: Council votes 4-1 to rename Fourth, with Potter against.

Nov. 21: Council votes unanimously to reverse its decision to rename Fourth and votes 3-2 not to rename Interstate Avenue.

August 2008: Chavez committee submits an application to rename Broadway, Grand Avenue or 39th Avenue. The council insists that the Chavez group follow the city's street renaming code, the first time that has been done.

April 20: After holding hearings about each street, a historian panel determines that Broadway and Grand Avenue are historically significant names and shouldn't be changed but that 39th Avenue lacks historical significance.

May 12: The Planning Commission recommends 39th Avenue be renamed.

June 23: The City Council holds a hearing. More than 100 supporters and opponents testify.

July 8: The council votes 5-0 to change the name of 39th Avenue to Cesar E. Chavez Boulevard.