

'You Can't Eat Dirt': Tribal leader Vyola Ortner and Section 14

Tracy Conrad

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"As Indians in Palm Springs, we had to cooperate with the dominant white culture in some ways in order to succeed. ... From my perspective, we did greater honor to our ancestors by prospering in the society that was forced upon us than by giving up or being taken in by self-righteous indignation. In becoming independent and determined, the tribe seized new opportunities and, as a consequence, enjoyed new prosperity."

Vyola Ortner thusly summarized in her memoir from a vantage of 90 years of experience with Palm Springs. Her perspective was expansive. Having been born literally in the middle of town, on Section 14, in 1921, Ortner eventually served on the Tribal Council as well as the City Council. She was a vital part of the transformation of life in Palm Springs, indeed the Coachella Valley, for all people. And she is a particularly prominent figure in the history of Section 14, her birthplace. Her memoir is a scholarly achievement by any measure, carefully chronicling the history of the Agua Caliente Band of Cahuilla Indians. The establishment of the reservation in 1876 by Ulysses S. Grant included the most important ancestral lands of the Agua Caliente, Tahquitz Canyon, (what is now Section 22), and the spot where the warm mineral water from which the tribe took its name bubbled up to the desert surface: Section 14.

President Rutherford B. Hayes expanded the reservation's boundaries, creating a checkerboard by granting the odd-numbered square-mile parcels to Southern Pacific Railroad as an inducement to build, and the even-numbered parcels to the Agua Caliente people. (Interestingly, Hayes won the electoral vote, but lost the popular vote in one of the most bitterly disputed elections in American history. Hayes was awarded electoral votes as the result of the "Compromise of 1877," the informal deal amongst U.S. congressmen that gave



Agua Caliente Band of Cahuilla Indians Tribal Council, circa 1957: LaVerne Saubel, Elizabeth Monk, Gloria Gillette, Vyola Olinger Ortner and Eileen Miguel.

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Hayes the election in exchange for pulling federal troops out of the South, effectively ending Reconstruction.)

The checkerboard pattern of land ownership in Coachella Valley would come to define development and have far-reaching consequences, unimaginable when it was conceived. The mixture of cultures the checkerboard produced was embodied in Ortner herself. She idealized the Section 14 of her youth and characterized growing up in the diverse community, home to the poor of all ethnicities, as harmonious. The section was the only affordable place for working people to live in town. Ortner's deep understanding of that experience would prove pivotal.

In a 2011 review of Ortner's newly published memoir, Palm Springs Life noted, "When Albert Patencio, the tribe's longtime spiritual and ceremonial leader, died in 1951, the tribe was weakened by marriage to outsiders, disappearing tribal customs, and the loss of the Native language. Flora Patencio and Joe Patencio, who was to be the next ceremonial tribal leader, in a break from the past, burned the sacred kishumna's ceremonial roundhouse and its cultural and religious artifacts. This move broke the traditional male line of tribal succession at a pivotal time for the

tribe. There were few males either mature enough or young enough to qualify for the council. In 1954, the first all-women tribal council was elected, chaired by Ortner with members LaVerne Saubel, Eileen Miguel, Flora Patencio, and Elizabeth Pete Monk."

From the moment of her election, Ortner had a singular vision. She began her memoir in inimitable style with the sentence, "We're just dirt rich." Indeed, by 1958, she was presiding over one of the biggest real estate deals in the whole country. The 640 acres of Section 14 were right in the middle of the burgeoning resort town of Palm Springs and the possibility for luxury development, which would provide for her people, was both seemingly limitless and simultaneously dependent on cooperation between the city and the tribe. It was no accident that Ortner titled her book, "You Can't Eat Dirt."

The intrepid women of this council would create the first constitution and bylaws for the tribe as the first step toward development. With governing documents in place, they hired legal counsel and began a long campaign for control of their lands, and the ability to develop. At the start of Ortner's tenure, Indian lands were administered by custodians appointed by the Bureau of In-

dian Affairs in the Department of Interior, among them, neighbor Lawrence Crossley, one of the first African American residents of Palm Springs.

President Dwight D. Eisenhower came to Palm Springs in February 1954 to visit his friends Paul Hoffman of Studebaker Motor Company and Paul Helms of the eponymous baking company in Los Angeles, both of whom had homes in the desert. Eisenhower was enchanted, thought of living here, and was accordingly acquainted with the checkerboard and the highly restrictive leasing rules on tribal even-numbered parcels.

Ortner and her councilmembers began regularly traveling to Washington, D.C., often accompanied by Mayor Frank Bogert, to lobby Congress for the ability to make long-term leases. As she says in her book, "If successful, in either its full glory or some variant, the Palm Springs deal would allow the Agua Caliente Cahuilla to seize their own destiny and bring economic prosperity to the 'land rich but cash poor' members of the tribe."

A series of legislative victories finally allowed for longer leases, and allotment of land to individual members of the tribe. Ortner writes, "In July 1959, in one of my most memorable appearances before the U.S. Congress, I testified at a House Interior Subcommittee Hearing requesting the legislature to consider that 'my tribe needs Vitamin M — Money.' In other words, we needed to finalize the land allotment process and implement long-term, ninety-nine-year leasing. Without long-term leasing, I argued, tribal land would continue to yield only modest gains. The 99-Year Leasing Act would allow tribal members to make their land productive by entering into stable leasehold terms that would attract new business interests to our territories. In September 1959, after a long campaign, the House and Senate voted through the final bill authorizing ninety-nine-year leases for lands on the Agua Caliente Indian Reservation. President Eisenhower signed Public Law 86-326 into law on October 22, 1959."

'You Can't Eat Dirt': Tribal leader Vyola Ortner and the transformation of Section 14

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In 1962, The Desert Sun reported, "Top officials of the Agua Caliente Indian Tribal Council met with Palm Springs city representatives to polish proposals for long-range Section 14 zoning." That strategic discussion would take another two decades and culminate in the land-use agreement between the city and the tribe in 1977. Ortner would be instrumental in forging the cooperation required.

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"I've always been able to work with everyone... I am very privileged because I am really part of both worlds. I view this as being positive, constructive." She would go on to be appointed to the city's Planning Commission and would be the first-ever tribal member elected to the City Council. Her campaign for council ran a newspaper advertisement entitled "Mayors for Vyola Ortner," which noted that "Palm Springs' most productive former mayors have come out firmly in support of Vyola Ortner" and pictured her standing with Ed McCoubrey, Charlie Farrell, Frank Bogert, Howard Wiefels and Bill Foster.

Having won the ability to make long-term land leases, Ortner and her all-female council had secured a prosperous future for their people. They hired Victor Gruen & Associates, the prestigious national architectural and planning firm, to launch the economic development blueprint for Section 14. They struck their first development deal to build the William Cody-designed Palm Springs Spa Hotel, changing the town and the tribe, forever.

But both the tribe and the city would struggle for the remainder of the 1960s to contend with the substandard conditions, created by decades of restrictive leasing terms, on the remainder of Section 14. It is an exceedingly complicated story. A 1961 report from the planning and police departments held there were some 2,000 people among the approximately 173 families of two or more persons to be displaced by a clean-up effort. It also held there were 321 white families and 115 non-white families residing in the section in question. That part of the story of Section 14 is also documented in Ortner's remarkable book.