



HISTORY OF SECTION 14

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14

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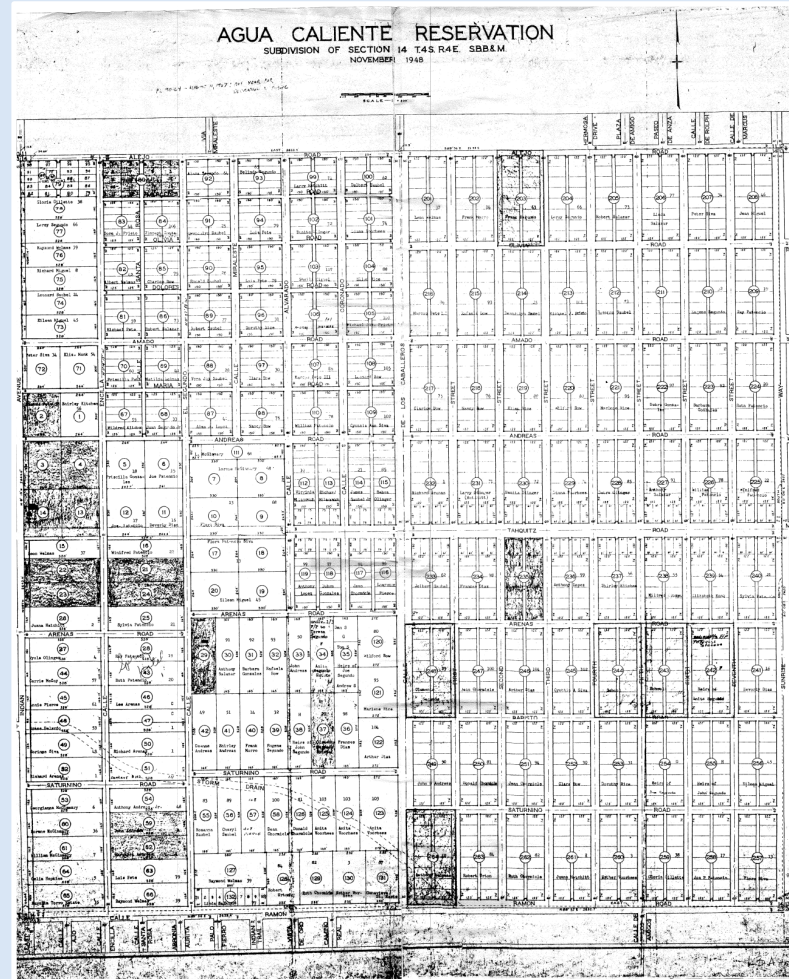
INTRODUCTION: SECTION 14

Section 14 is a one-square-mile tract in downtown Palm Springs, California, and lies in the center of Agua Caliente Band of Cahuilla Indians Reservation.

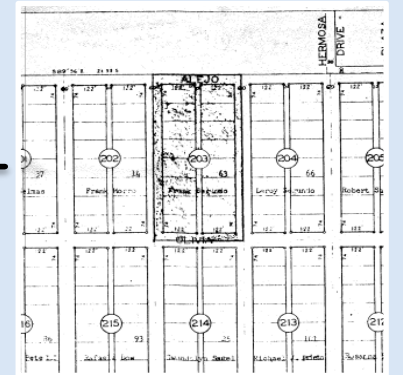
In the early 20th century, families who fled Mexico during the Mexican Revolution, Black families from Carthage, Texas and other areas, and along with Filipino residents, comprised the working class of the City.

Federal Indian Policy restrictions transformed Native American leaseholds into temporary accommodations, attracting individuals or families renting on a short-term basis without plans for permanent residency to Section 14.

Throughout 1950-1960, Section 14 properties were abated by burning and demolition due to health concerns and ongoing development efforts.



This 1948 map of the Agua Caliente Reservation depicts the subdivisions of Section 14.



This map includes the block number, allotment number and names of allottees.

REPORT OF THE SPECIAL COMMITTEE ON INDIAN AFFAIRS, 1948

Starting around 1932, the State of California and Riverside County became involved in Section 14 due to health and safety concerns about the substandard living conditions for the families living on the tribal allotees' land. The City of Palm Springs was incorporated in 1938. The City Council, acting at the request of interested citizens, appointed a committee to investigate the conditions on Section 14.

REPORT OF
SPECIAL COMMITTEE ON INDIAN AFFAIRS

Palm Springs, California

March 18, 1948

FILED
CITY COUNCIL
April 4 1948
L. M. [Signature]
CITY CLERK



Because they were unsure of how long they would be on the land, the non-Agua Caliente residents living on the land placed makeshift homes on the property. These makeshift homes raised health and safety concerns.

The residents occupied the land under "leases" from individual Agua Caliente members, but they had no legal effect and were revocable permits granted by the tribe and approved by the Department of the Interior.





RIVERSIDE COUNTY HEALTH PUSHES FOR CLEANUP

1948 - After about a decade of trying to resolve the improper health and sanitation issues on Section 14, Dr. Robert E. Westphal, county health officer, pushed for immediate cleanup of the reservation. Dr. Westphal estimated approximately 1,500 individuals were living in buildings on the Agua Caliente reservation, suggesting many of these structures might require condemnation. Condemnation is a formal declaration by government authorities deeming a property to be unsafe or uninhabitable

STATE HOUSING AUTHORITY AND COUNTY HEALTH INSTRUCTS CITY TO ABATE PROPERTIES

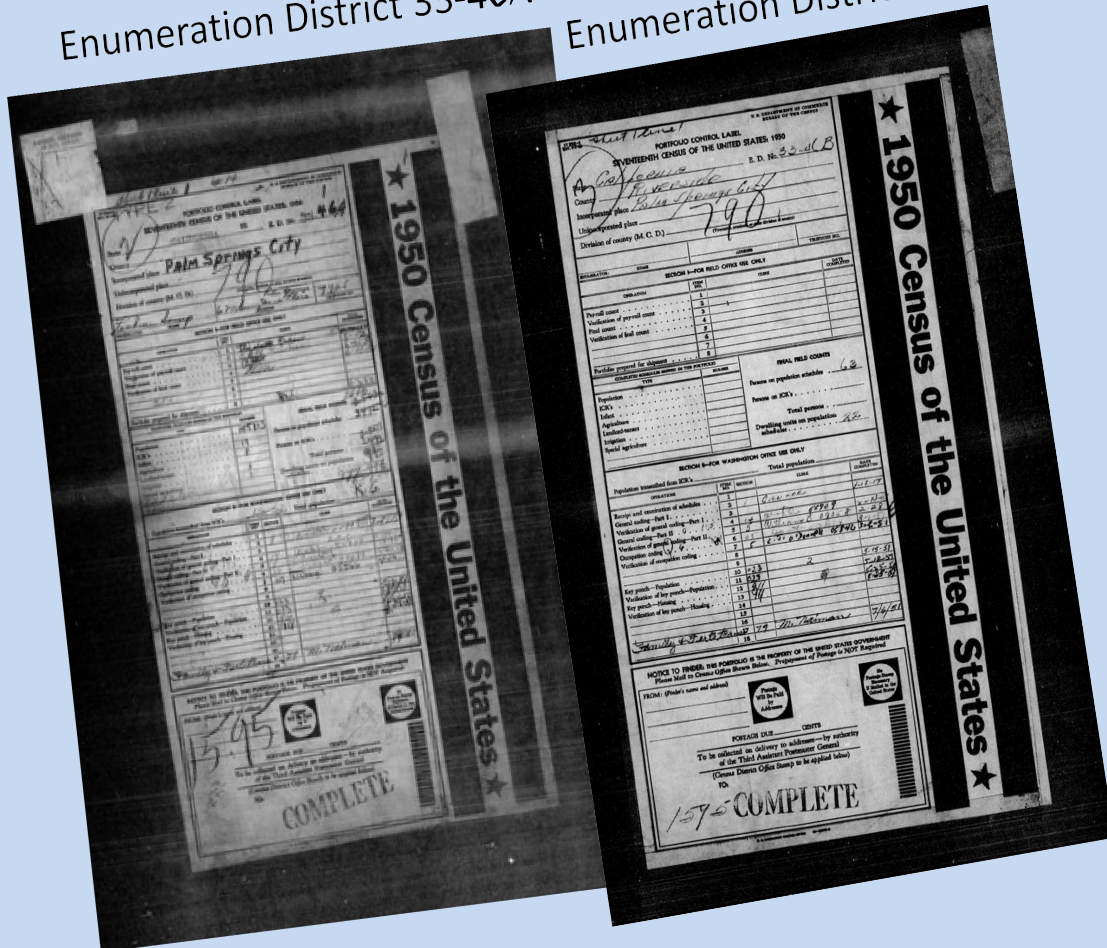
April 1951 - The City of Palm Springs was instructed by the California Housing Authority and the County Department of Health that the dwelling units in Section 14 were sub-standard and should be abated. That same year, eviction notices were issued to Section 14 residents of dwellings which had been built originally for the Tribe prior to 1951.

1950 CENSUS – SECTION 14

Enumeration District 33-46 (A&B) covered Section 14 in the 1950 census. There were 2,503 people total in Section 14 across 999 dwelling units.

Enumeration District 33-46A

Enumeration District 33-46B



SECTION 14 POPULATION: 2,503

DWELLING UNITS: 999

***ESTIMATED POPULATION BY RACE:**

- White: 1,466
- Black: 545
- Hispanic: 282
- Native American: 93
- Filipino: 44
- Japanese: 9

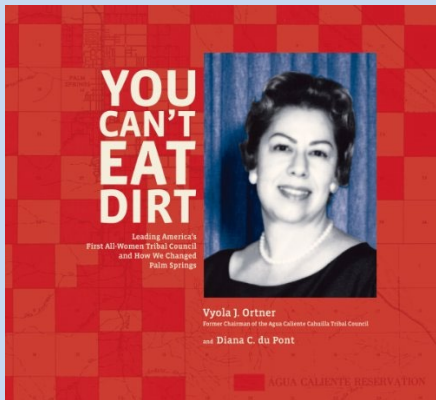
* Note: These numbers are hand-counted from the Census document and are not exact, but very close. A spread sheet will be created to ensure precise numbers.

* Note: There were seven trailer parks on Section 14, accounting for 321 dwelling units.

ALL-WOMEN TRIBAL COUNCIL PAVES WAY TO PROSPERITY

The Agua Caliente's first all-women Tribal Council was elected in 1954. They wrote the Tribe's first constitution and bylaws, worked with Congress to get more favorable leasing options on Tribal land, and brokered the building of the first large-scale development on Section 14.

Tribal Chair Vyola Ortner In her book, "You Can't Eat Dirt," said the "substandard living conditions were due to numerous factors, one of which, importantly, was the inability of Indian landowners to enter into long-term leases. Overcoming this obstacle to developing our precious land was first on our list."



Published in 2011, "You Can't Eat Dirt" details Vyola Ortner's tenures as vice chair from 1952-1954 and and chair from 1954-1956 of the Tribal Council for the Agua Caliente Band of Cahuilla Indians.



1956 Tribal Council, from left, LaVerne Saubel, Elizabeth Pete Monk, Gloria Gillette, Chair Vyola Ortner, and Eileen Miguel.

1950s CONGRESSIONAL ACTIONS PROVIDE PATH FOR AGUA CALIENTE TO PROSPER

Aug. 9, 1955

Sept. 21, 1959

INDIAN LONG TERM LEASING ACT

Increased lease terms on reservation lands from 5 years to 25 years (Public Law 255)

INDIAN LEASING ACT

Increased lease terms on the Agua Caliente Indian Reservation from 25 years to 99 years

Public Law 86-339; signed into law by President Dwight Eisenhower on Oct. 22, 1959

September 21, 1959
[H. R. 8587] Public Law 86-339 AN ACT
To provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes.

Agua Caliente Reservation, Calif. Allotments, equalization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") is authorized and directed to do whatever is necessary and proper to equalize as nearly as possible the values of all allotments of land on the Agua Caliente (Palm Springs) Reservation in California in accordance with the provisions of this Act.

Sec. 2. Any member of the Agua Caliente Band (hereinafter called the "band") who is living on the date of the enactment of this Act and who has not received an allotment of land shall be given an allotment in accordance with the provisions of law existing prior to this Act. No further allotments of land shall thereafter be made to any other or future born members of the band, or to their heirs or devisees, except for the purpose of equalization. This prohibition against further allotments shall not be construed as a closing of the band's membership rolls.

Sec. 3. (a) The Secretary shall determine on the basis of the tract appraisals that were made in 1957 and 1958 (1) the value of all allotted tribal land, and (2) the value of the allotment of the value of land on which is living on the date of this Act, excluding the value of improvements thereon. Where lands of a living allottee have been sold or otherwise disposed of, the amount received from such sale, less the amount of any improvements thereon, shall be the amount to be equalized. Where any improvements patented to and sold by the allottee, as of the time of the sale, are still in the hands of the allottee, the value of such improvements shall be included in the value of the land on which the allottee is living on the date of this Act.

69 STAT.] PUBLIC LAW 255—AUG. 9, 1955

Public Law 254 AN ACT
To provide for five-year terms of office for members of the Subversive Activities Control Board with one of such terms expiring in each calendar year. CHAPTER 580 539

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 (a) of the Subversive Activities Control Act of 1950 is amended by striking out the third sentence and inserting in lieu thereof the following: "The term of office of the members of the Board in office on the date of enactment of the Subversive Activities Control Board Tenure Act shall expire at the time they would have expired if such Act had not been enacted. The term of office of each member of the Board appointed after the date of enactment of the Subversive Activities Control Board Tenure Act shall be for five years from the date of expiration of the term of his predecessor, except that (1) the term of office of that member of the Board who is designated by the President and is appointed to succeed one of the two members of the Board whose terms expire on August 9, 1955, shall be for four years from the date of expiration of the term of his predecessor, and (2) the term of office of any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be for the remainder of the term of his predecessor. Upon the expiration of his term of office a member of the Board shall continue to serve until his successor shall have been appointed and shall have qualified."

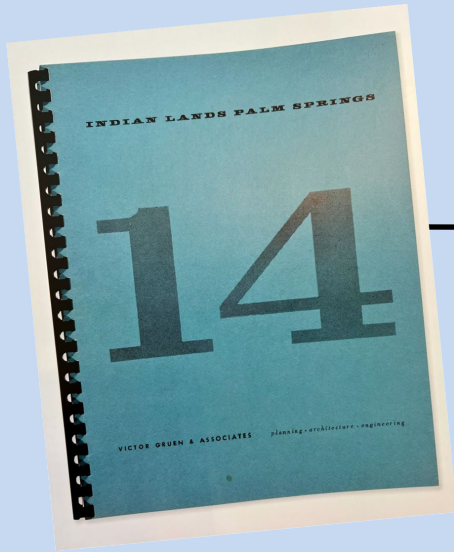
Sec. 2. This Act may be cited as the "Subversive Activities Control Board Tenure Act".
Approved August 5, 1955.
Public Law 255

To authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes and to grant of long-term leases. AN ACT
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") is authorized and directed to do whatever is necessary and proper to carry out the purposes of this Act. CHAPTER 615

August 5, 1955
[S. 2375]

Subversive Activities Control Board Tenure Act.
64 Stat. 997.
50 USC 791.

THE AGUA CALIENTE SIGN NATION'S FIRST LONG-TERM LEASE OF TRIBAL LANDS FOR DEVELOPMENT PROJECTS



1956

The Tribal Council engaged internationally recognized architect Victor Gruen to devise a comprehensive master plan for Section 14.

February 1958

The Agua Caliente Tribe negotiated a 50-year lease (25 years, with an option for a 25-year renewal) for 8 acres of land on Section 14, to Palm Springs Spa, Inc, headed by Samuel Banowit. The minimum annual rental was \$36,000.

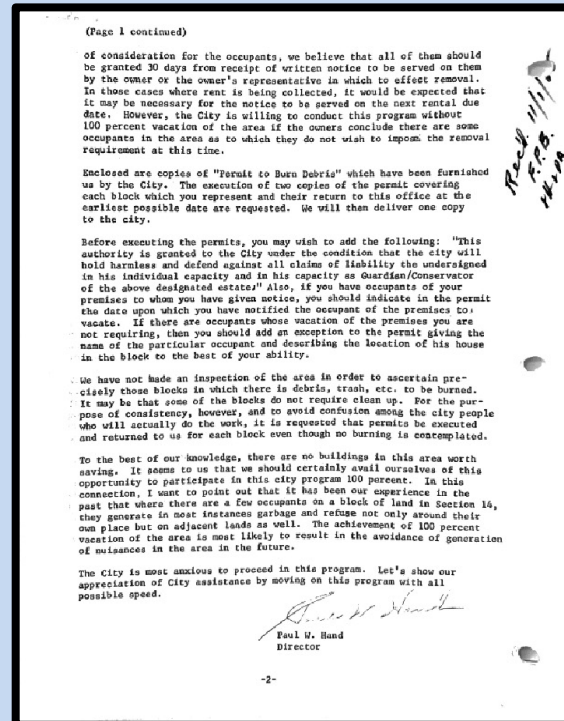
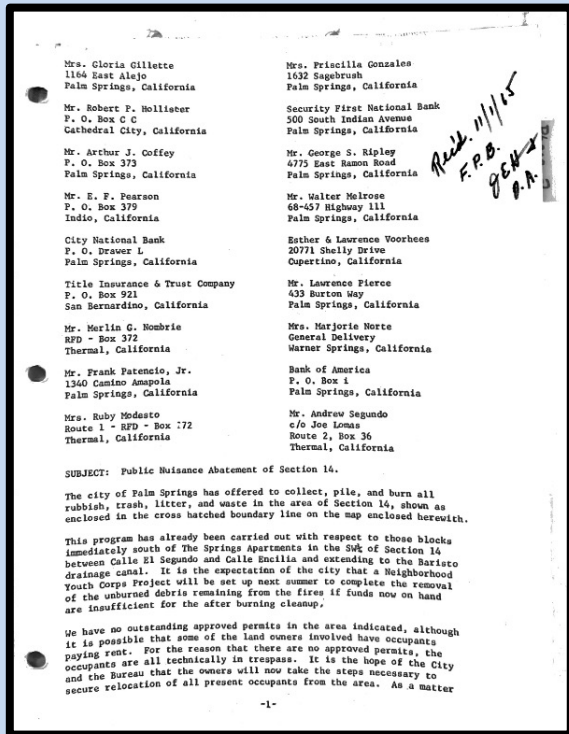
1960-1963

Signing of the nation's first long-term lease of Indian Tribal lands paved the way for development of a \$1.7 million health center & resort. The Palm Springs Spa opened January 21, 1960. During a period from 1961 to 1963, 108 structures on Section 14 were demolished as a result of actions by private citizens in connection with new building construction.



LOCAL BUREAU OF INDIAN AFFAIRS DIRECTOR DIRECTS TRIBE TO SERVE NOTICES

Paul Hand, a representative from the U.S. Department of the Interior, Bureau of Indian Affairs (BIA) worked with the Agua Caliente Band of Cahuilla Indians' tribal allottees, conservators and guardians, and the City of Palm Springs to abate abandoned structures, and residences deemed public nuisances due to building, housing, and fire code violations. The BIA representative worked with the landowners to ensure proper legal notice was given to those living in these buildings to vacate. In some cases, these residents were asked to leave two or three years earlier and had not complied.



This 1965 letter describes to the tribal members the procedure for serving a 30-day notice, by the owner, or owner's representative, to occupants living in substandard housing in Section 14. The City was willing to proceed with partial vacancy if owners opted not to require removal of certain occupants immediately.

Enclosed with the letter were copies of "Permits to Burn Debris." the letter instructed landlords to indicate in the permit the date on which occupants were notified to vacate. Landlords were also advised to specify exceptions for occupants they did not require to vacate, providing their names and the locations of their residences in the permit.

PERMIT TO BURN DEBRIS

1-19-66

I, LARRY M. OLINGER, Conservator, Guardian, or Allottee, for the Palm Springs Indian Allotment No. 71, do hereby give authority to the City of Palm Springs, California, by and through its Fire Department, Bureau of Fire Prevention, to burn the debris located on Palm Springs Allotment No. 71, Block No. 331, Lot (s) No. _____ said burning of debris shall be accomplished on or prior to the following date: ASAP.

DATED at Palm Springs, California, this 19 day of Jan. 1966.

Larry M. Olinger
Conservator/Guardian/Allottee for Indian Allotment No. 71

This authority is granted to the City under the condition that the city will hold harmless and defend against all claims of liability the undersigned in his individual capacity as Owner of the above designated estate.

Don Abercrombie Witness
Fire Prevention Bureau



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Palm Springs Office
509 Industrial Place
Palm Springs, California

IN REPLY REFER TO:

October 4, 1965

Mr. James E. Harris
Fire Marshal
City Hall, 3200 McCallum Way
Palm Springs, California

Dear Mr. Harris:

Enclosed herewith are permits secured from Marian Arenas, Conservator for Lee Arenas, owner of Block 46 and the N-1/2 of Block 47, Security First National Bank, Conservator for Richard Brown Arenas, owner of the S-1/2 of Block 47 and all of Block 50, and Walter Melrose, Guardian for Darlene Diaz, owner of Block 51, all in the SW-1/4 of Section 14, T4S, R4E, covering the burning of debris located on such blocks.

Field investigation reveals that there is a family living in one of these shacks. He has been informed by this office that he will be notified to vacate not less than three days prior to the time the burning of the debris is to take place in order that he may be afforded an opportunity to move.

Please be advised that this office of the Bureau endorses completely the program contemplated. We shall appreciate being informed as to your schedule so that the family referred to above may be notified to vacate.

Sincerely yours,

Paul W. Hand
Paul W. Hand
Director



City of Palm Springs
CALIFORNIA

FIRE DEPARTMENT
BUREAU OF FIRE PREVENTION

DATE: May 6, 1966

PERMIT TO BURN DEBRIS

I, Rev. Jeff Rollins, Pastor, St. John First Baptist Church, do hereby give authority to the City of Palm Springs, California, by and through its Fire Department, Bureau of Fire Prevention, to abate abandoned buildings, trash, litter and waste of any kind and to burn the debris located on Block ## 32, Section 14, also identified as St. John First Baptist Church, 690 Ceder Rd., Palm Springs, California said burning of debris shall be accomplished on or prior to the following date:

(May 10, 1966)

DATED at Palm Springs, California, this 6 day of May, 1966.

Rev. J. Rollins PASTOR
63540 Las Vegas Rd.
Palm Springs, California
Address

WITNESSED:

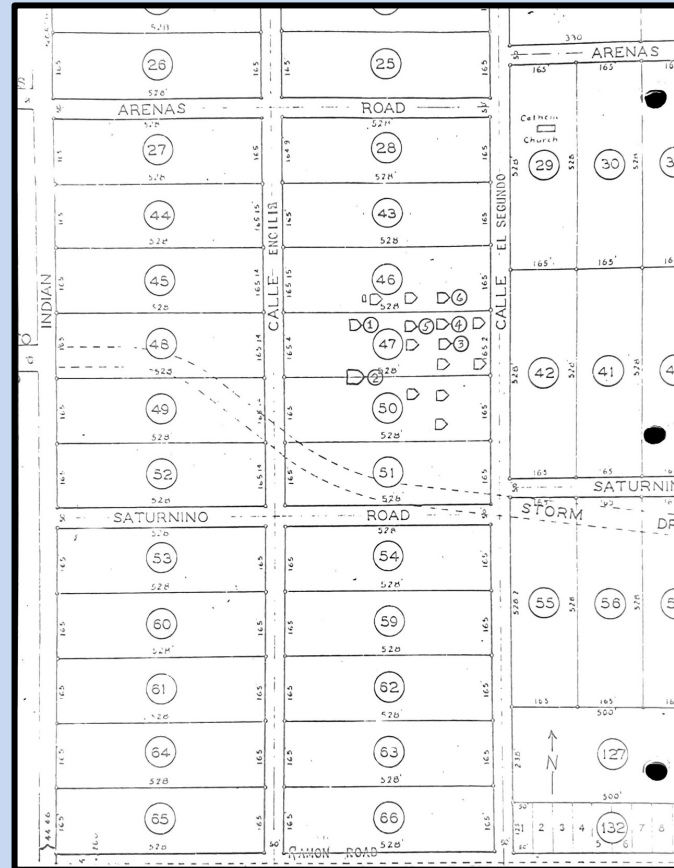
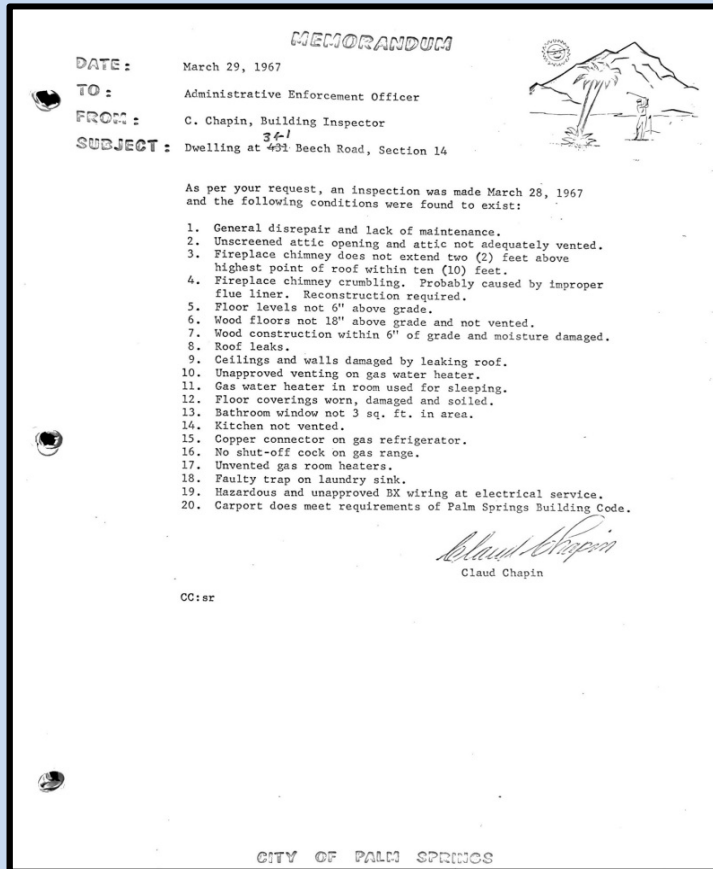
Don Abercrombie
For: Bureau of Fire Prevention

FPB/JEH/j

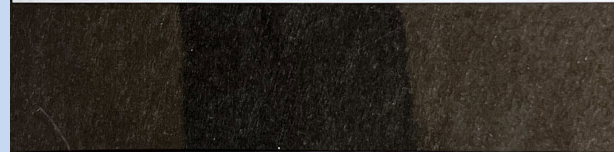
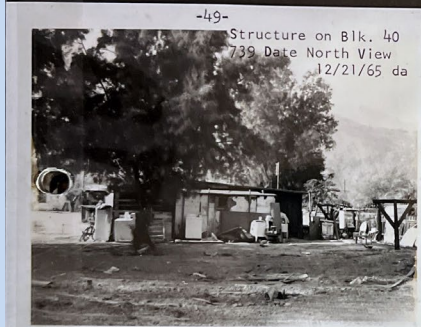
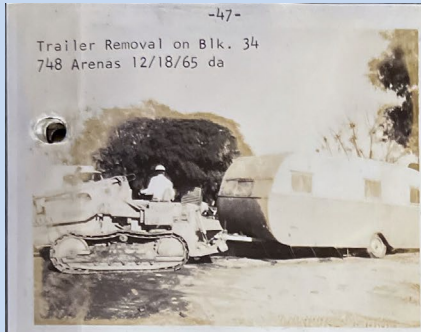
PERMITS SIGNED BY ALLOTTEES OR ON BEHALF OF ALLOTTEES ARE SENT OUT TO SECTION 14 PROPERTIES

INSPECTIONS OF SECTION 14 PROPERTIES OUTLINE SUBSTANDARD LIVING CONDITIONS

As outlined by the 1967 memo from Building Inspector Claud Chapin to the Administrative Enforcement Officer, many of the properties on Section 14 presented substandard living conditions because they were not built to last. The second image is a diagram of the abatements they began to plan for the properties with such conditions.

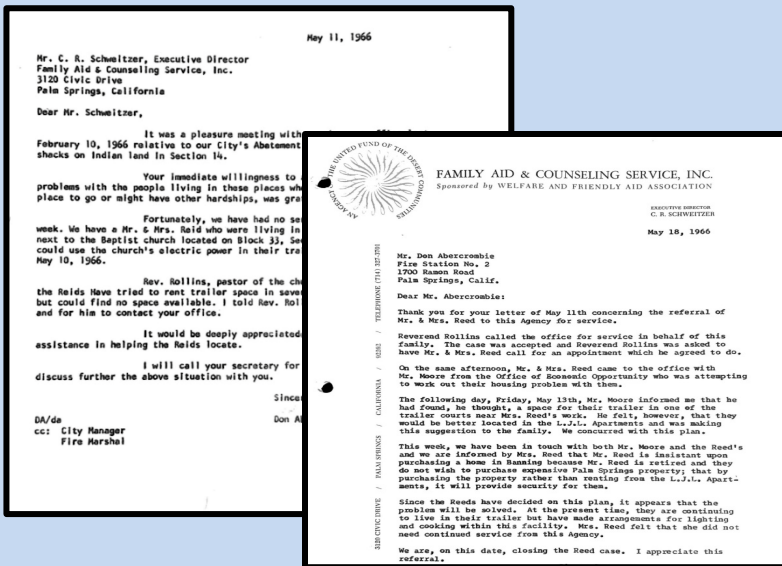


PROPERTIES AND TRAILERS SLATED FOR REMOVAL/DEMOLITION



CITY CONDUCTS OUTREACH AND ASSISTANCE TO RESIDENTS

The City worked to relocate Section 14 residents through a series of resolutions from 1950-1962 and coordination across agencies to ensure that residents would have housing following their impending evictions. However, not all efforts were successful, as indicated by the 145 total homes that were abated despite not being abandoned. A judge struck down a proposed affordable housing project in 1963; another city request for federal funds failed in 1967. It was only in 1968 that construction began on a 60-unit affordable apartment complex, Seminole Gardens, which still stands in southeastern Palm Springs.



These 1966 letters between Dan Abercrombie, the City's Clean-Up Coordinator, and the Family Aid & Counseling Service detail the City's successful attempt to relocate the Reid family.

Resolution	Details
June 6, 1951 Resolution 3172	Authorized the City Manager to bring together parties of interest to locate alternate housing for residents of Section 14
January 9, 1952 Resolution 3338	Authorized appointment of a committee of five businessmen to look into the matter of providing housing for residents of Section 14
March 6, 1961 Resolution 6213	Authorized the Mayor to submit a request to the Federal Housing Administration for Section 221 assistance to relocate families displaced from the southwest quarter of Section 14)
April 10, 1961 Resolution 6291	Appropriated \$500 to conduct a block census to determine the number of relocation dwelling units needed to house those displaced)


ABATEMENT RECORDS INDICATE THAT 145 ABANDONED PROPERTIES WERE REMOVED FROM 1965-1968

There were 235 total abatements on Section 14. From September 29, 1965 to December 3, 1967, 143 structures and/or dwellings that were not abandoned were abated. There were two other dwellings abated in 1968 -1969, according to City records.

CHRONOLOGY - SECTION 14 ABATEMENT PROGRAM, DEMOLITION, CONTROL BURN AND HAULING AS RECORDED BY THE BUREAU OF FIRE PREVENTION FROM 9/29/65 TO 12/31/67

1965	Phase 1, Blocks 46, 47, 50 and 51
Sept. 20	Visual survey re: abatement planning.
Sept. 20	Special meeting w/Paul Hand, Bureau of Indian Affairs, re: abatement program
Sept. 29	Memorandum of Public Nuisance Abatement, Phase 1, mailed to Mr. Hand.
Oct. 1	Block 51. Signed by Walter Melrose. Burning date not specified.
Oct. 1	Block 46 and north half of Block 47. Signed by Marion Arenas. Burning date not specified.
Oct. 1	South half of Block 47 and 50. Signed by John S. Early. Burning date on or prior to 1/1/66.
Oct. 4	Letter dated 10/4/65, and permits to burn in Phase #1. See last paragraph re: endorsing the abatement program.
Oct. 5	Received memo City Manager re: Council approval of burning on Section 14.
Oct. 7	Photo survey Blocks 46,47,50 and 51. (abandoned structures) Harris/Rizzotto
Oct. 8	Photographic survey Blocks 46,47,50 and 51. (abandoned structures) Rizzotto
Oct. 11	Area survey Blocks 46,47,50 and 51. (abandoned structures) Rizzotto
Oct. 12	Memo to Fire Suppression officers. Subject: Operation control burn re: portions of Blocks 46,47,50 and 51.
Oct. 13	Photos re: abatement Blocks 46,47,50 and 51. (abandoned structures) Rizzotto
Oct. 13	News media release. Subject: operation control burn re: portions of Blocks 46,47,50 and 51.
Oct. 14	Photos re: abatement Blocks 46,47,50 and 51. (abandoned structures) Rizzotto
Oct. 18	Demolition and control burn, abandoned structures, Blocks 46,47,50 and 51. Photos taken. Valley Equipment Company used as demolition crew. Harris/Rizzotto
Oct. 19	Demolition and control burn, abandoned structures. Blocks 46,47,50 and 51. Photos taken. Valley Equipment Company used as demolition crew. Harris/Rizzotto

This abatement record details abatements between 1965 to 1967.



City of Palm Springs
CALIFORNIA

BUREAU OF FIRE PREVENTION March 7, 1966

Progress Report
Public Nuisance Abatement Program
Section 14 - Oct. 18, 1965 thru Feb. 24, 1966

Inspections & reinspections:
Structures and area..... 410

Notification's:
To Conservator, Guardian, Allottee or Occupant's... 152

Demolition:
Structures demolished (43 abandoned & 112 vacated) 155

Controlled Burning:
Structures, trash, litter & rubbish.. 155

Respectfully submitted,
James E. Harris
JAMES E. HARRIS,
Battalion Chief - Fire Marshal

JEH/or

This progress report from the Bureau of Fire Prevention details the progress from 1965 to 1966.

Statistical Report Public Nuisance Abatement of Section 14 as recorded by the Bureau of Fire Prevention from 9/29/65 to 12/31/67.

(a) Record of abatements from 9/29/65 to 12/31/66	216
(b) Record of abatements from 1/1/67 to 12/31/67	+ 31
(c) Total abatements	247
(d) Abatements not in Section 14	- 12
(e) Total abatements in Section 14	235
(f) Completely abandoned structures and/or dwellings in Section 14	92
(g) Structures and/or dwellings not abandoned in Section 14	143

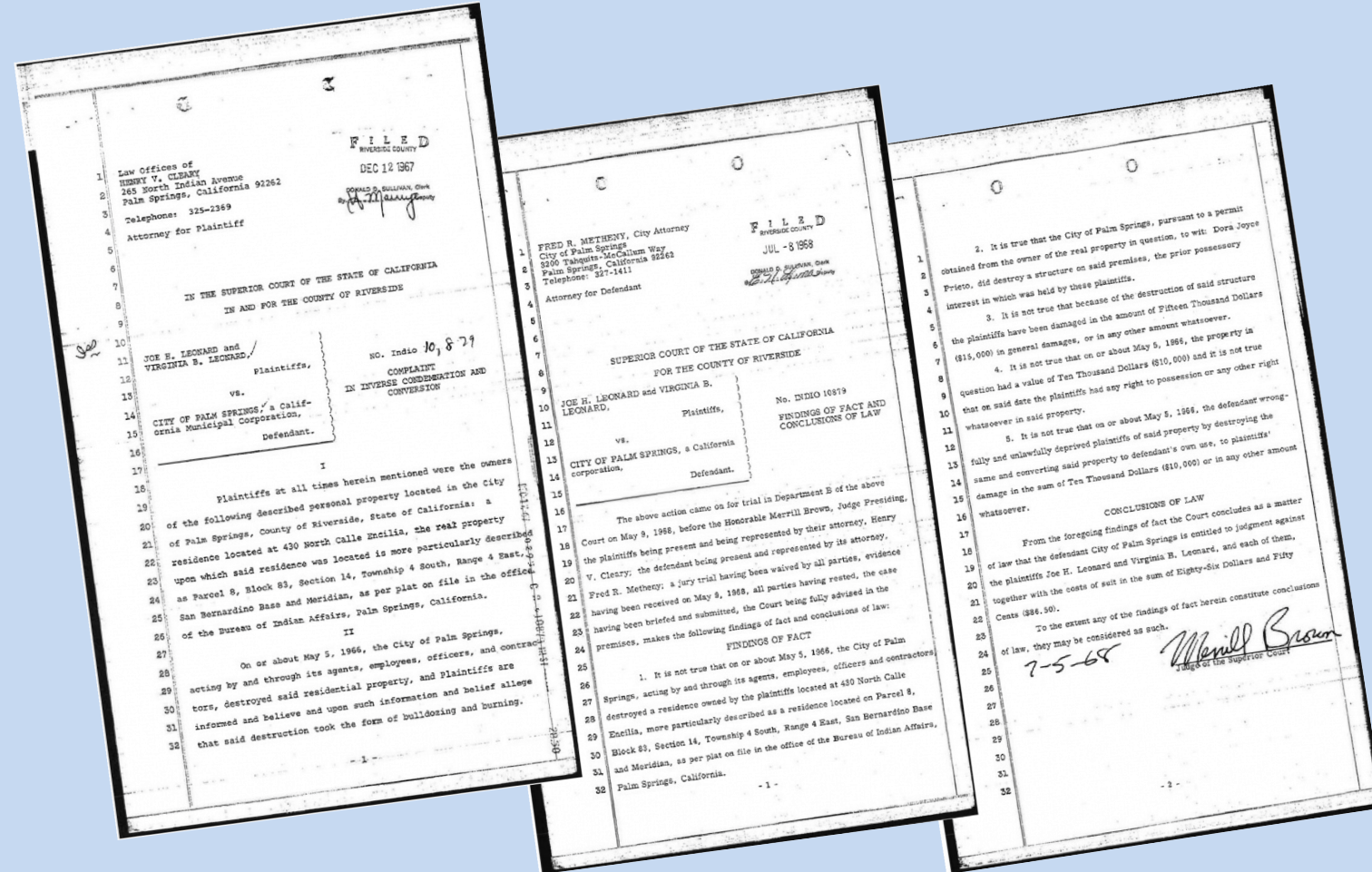
Two additional structures, at least one that was abandoned, were abated in 1968 - 1969.

JOE H. LEONARD AND VIRGINIA B. LEONARD VS CITY OF PALM SPRINGS

In 1967, a couple renting a home in Section 14 sued the City, alleging improper demolition of the house that they were living in, located at 430 N. Calle Encilia, Palm Springs.

The trial court ruled, in July of 1968, that the City had not violated the legal rights of the tenants, because the City demolished the structure pursuant to authorization from the property owner, Ms. Dora Prieto.

This case demonstrated that former Section 14 residents had access to the judicial process at the time and confirmed that the City acted lawfully when conducting the substandard housing abatement process ordered by the State.



CALIFORNIA ATTORNEY GENERAL'S OFFICE RELEASES REPORT ABOUT SECTION 14 DISPLACEMENT

The California Attorney General's Office was requested on July 22, 1966, by the Fair Employment Practices Commission to contact Ernest Moore from the Office of Economic Opportunity in Palm Springs concerning the displacement of residents from Section 14. Deputy Attorney General Loren Miller, Jr. went to Palm Springs to gather material for his report, which was published in 1968. No further action from the Attorney General of the State of California was taken.

Key factual and legal conclusions in the report have been contradicted. City Manager Frank Aleshire reported that Miller only visited for one day. As such, it is likely that the discrepancies between public records and the 1968 California Attorney General's report are the result of a relatively short visit. As the Desert Sun's Managing Editor Al Tostado noted, the report does not mention that in April 1951, the City of Palm Springs was instructed by the California Housing Authority and the County Department of Health to abate the dwelling units in Section 14 due to health concerns or that the City did attempt to defer the displacements.

Calif. Dept. of Justice

State of California Department of Justice

Memorandum

To : Honorable Charles A. O'Brien
Chief Deputy Attorney General
Department of Justice
6000 State Building
San Francisco, California 94102

Date: May 31, 1968
File No:

From : Loren Miller, Jr.
Office of the Attorney General
LOS ANGELES

Subject: Palm Springs, Section 14 Demolition

The Attorney General's Office was requested on July 22, 1966, by the Fair Employment Practices Commission to contact Mr. Ernest Moore of the Office of Economic Opportunity in Palm Springs, California concerning the removal of several hundred residents from an area of that city known as Section 14. The FEPC request to the Attorney General's Office was the result of a letter which Mr. Moore had written to Governor Edmond G. Brown.

Deputy Attorney General Loren Miller, Jr. went to Palm Springs and consulted with Mr. Ernest Moore concerning his complaint. Mr. Moore said that the City of Palm Springs had burned down the homes of Negro residents of Section 14--destroying their personal belongings, as well as the buildings--without giving the residents sufficient notice of the planned destruction.

Following this initial meeting, on July 25, 1966, extensive interviews were conducted by Mr. Miller and a special agent of the Department of Justice. The interviews included city officials, contractors involved in the property destruction, conservators for the Indians, and

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Office of the Attorney General Report, June 4, 1968

Editorials-Opinion

THE DESERT SUN PUBLISHING CO. ESTABLISHED 1927

Leonard K. Firestone, President Carl W. Schooss, Publisher

24 The Desert Sun Wednesday, June 5, 1968 Palm Springs, California

Example of 'Classic Disregard'

Reading the report of Attorney General Investigator Loren Miller, Jr. on the Palm Springs Section 14 demolition and cleanup is somewhat like reading Alice in Wonderland. Miller and his social team quite apparently fell down a hole, hit heads and began to see things which were not there. That's the charitable interpretation of as biased and nonsensical a report as has come across our desk--ever.

The facts on the cleanup of Section 14 were on the record, easy to find--and almost completely ignored. They are:

1. Section 14 houses and shacks were originally occupied by Indians owning the land individually and as a tribe. They had long since moved out and the deteriorating and dilapidated shacks were then occupied by squatters, mostly Negroes and in many cases non-rent paying.
2. These shacks were bug infested and fire hazards. In many cases several families jointly and simultaneously occupied one small shack. Fire and police problems in the area were many and grave.
3. In 1962 the City of Palm Springs was requested by the Tribal Council for assistance in cleaning up the area. Talks went on for years, ineffectually, the city pointing out that it could not evict, but also offering to help in the cleanup.
4. The Indian owners and the Indian Bureau agreed to assume the burden of eviction and the city commenced the cleanup

in 1964, using private contractors as well as city personnel. The cleanup took some 18 months. Those evicted in the later stages obviously had more than adequate notice of intent. Those vacated initially were not only given adequate notice, but the few pleas of hardship were met with complete compliance with the tenant's time requirements. These ranged from as little as 10 days to as long as 18 months. City Manager Frank Aleshire and council members alike say not one of the few requesting a moratorium was summarily evicted.- 6. The city did not provide substitute housing for the evictees, as stated in the report. But the report neglected to state that no city at that time provided housing for its minorities and few do now. It simply was not within the then scope of municipal responsibility.

From the Miller report you get the idea that the city acted in total and callous disregard of the plight of the underprivileged. Such words as "Classic study in civic disregard for the rights and feelings of minority citizens," are high-fluting and bound to provoke a prejudiced reaction.

We suggest instead that Miller showed a classic disregard for the facts in the case and an "end-justifies-the-means" approach which is becoming classic in many of our bureaucratic planners for the Great Society and the Beautiful, Effortless Tomorrow.

Desert Sun Editorial, June 5, 1968 (Rebuttal to Report)