

INTRODUCED: May 9, 2022

Expedited Consideration

A RESOLUTION No. 2022-R029

To determine and direct, pursuant to Va. Code § 15.2-1812 and Ord. No. 2020-154, adopted Aug. 3, 2020, the final disposition of the General A. P. Hill monument removed by the City by donating such monument to The Black History Museum and Cultural Center of Virginia, Inc., upon certain terms and conditions, and to provide for the respectful disinterment from the site of the General A. P. Hill monument and re-interment as ordered by the Circuit Court of the City of Richmond, Virginia, of the remains of General A. P. Hill.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 9 2022 AT 6 P.M.

WHEREAS, by Ordinance No. 2020-154, adopted August 3, 2020, and pursuant to section 15.2-1812 of the Code of Virginia (1950), as amended, the City Council authorized the removal of certain war monuments and memorials in the city; and

WHEREAS, by Resolution No. 2022-R002, adopted January 24, 2022, the Council determined and directed the final disposition of war monuments and memorials removed pursuant to Ordinance No. 2020-154, adopted August 3, 2020, except for the General A. P. Hill monument

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 9 2022 REJECTED: _____ STRICKEN: _____

located at the intersection of West Laburnum Avenue and Hermitage Road, to The Black History Museum and Cultural Center of Virginia, Inc.; and

WHEREAS, the City Council is of the opinion that it is in the best interests of the City of Richmond that the General A. P. Hill monument located at the intersection of West Laburnum Avenue and Hermitage Road be disposed of finally by donating such monument to The Black History Museum and Cultural Center of Virginia, Inc., and that the remains of General A. P. Hill be disinterred from the site of the General A. P. Hill monument and reinterred respectfully as ordered by the Circuit Court of the City of Richmond, Virginia;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That:

1. The City Attorney is hereby authorized and directed to pursue, on behalf of the City of Richmond, Virginia, the necessary action and approval by the Circuit Court of the City of Richmond, Virginia, to permit the lawful and respectful disinterment and re-interment of the remains of General A. P. Hill, and that upon receipt thereof, the Chief Administrative Officer is hereby authorized and directed to complete such disinterment and re-interment in accordance with the order of the Circuit Court of the City of Richmond, Virginia.

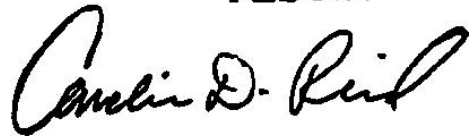
2. Pursuant to section 15.2-1812(B) of the Code of Virginia (1950), as amended, and section 1(E) of Ordinance No. 2020-154, adopted August 3, 2020, the City Council determines and directs the General A. P. Hill monument located at the intersection of West Laburnum Avenue and Hermitage Road be disposed of finally by donating such monument, including all parts of the platform and statue, to The Black History Museum and Cultural Center of Virginia, Inc. in accordance with a First Amendment to Contract between the City of Richmond, Virginia, and The

Black History Museum and Cultural Center of Virginia, Inc., a copy of which First Amendment to Contract is attached to this resolution upon the completion of the respectful disinterment of the remains of General A. P. Hill.

3. The Chief Administrative Officer, for and on behalf of the City of Richmond, Virginia, be and is hereby authorized to execute the aforementioned First Amendment to Contract, provided that such First Amendment to Contract is substantially in the form of the document attached to this resolution and such First Amendment to Contract first has been approved as to form by the City Attorney.

4. This resolution shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Camille D. Reil". The signature is written in a cursive style with a large initial 'C'.

City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: April 22, 2022 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer

FROM: Robert C. Steidel, Deputy Chief Administrative Officer *RCS*

RE: Transfer of City-owned monument and pedestals

ORD. OR RES. No. _____

PURPOSE: To direct the final disposition of the A.P. Hill monument, pursuant to Ord. No 2020-154, adopted Aug. 3, 2020, to the Black History Museum and Cultural Center of Virginia, Inc., and to reinter the remains of Lt. Gen. A.P. Hill to Fairview Cemetery in Culpeper, Virginia.

REASON: Pursuant to Ord. No. 2020-154, a resolution is necessary to authorize the disposition of the war monuments or memorials.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: In the summer of 2020, the City of Richmond removed certain war memorial monuments on city-owned property, pursuant to section 15.2-1812 of the Code of Virginia (1950), as amended. Per Ord. No. 2020-154, disposition of the monuments listed in Ord. No. 2020-154 (“monuments to be removed”), may be determined by adoption of a resolution. Furthermore, according to the Code of Virginia, the City Council “shall have sole authority to determine the final disposition of the monument or memorial.”

It is the desire of the City Administration to transfer said monument and associated pedestal (once removed) to the Black History Museum – an organization with expertise on items related to history and culture – to engage the community to determine any future use of said monuments and pedestals. The Black History Museum will execute this work with additional assistance from the Valentine Museum.

In conjunction with the removal of the monument and pedestal, the City has also made arrangements concerning the respectful reinterment of the remains of Lt. Gen. A.P. Hill to Fairview Cemetery in Culpeper, Virginia.

FISCAL IMPACT / COST: No (or nominal) direct costs related to transfer of said monuments and associated pedestals.

FISCAL IMPLICATIONS: Following transfer, the City may incur costs related to insurance, storage, and community engagement related to the monument and pedestal.

BUDGET AMENDMENT NECESSARY: Not at this time.

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: April 25, 2022

CITY COUNCIL PUBLIC HEARING DATE: April 25, 2022

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: Request expedited consideration.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Attorney's Office.

AFFECTED AGENCIES: Departments of Public Works; Planning and Development Review; Parks, Recreation, and Community Facilities; Finance; Budget and Strategic Planning; Procurement Services.

RELATIONSHIP TO EXISTING ORD. OR RES.: [Ord. 2020-154](#); [RES. 2021-R025](#)

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: None.

STAFF: Robert C. Steidel, Deputy Chief Administrative Officer for Operations
Robert.Steidel@rva.gov – 804-646-1378

FIRST AMENDMENT TO CONTRACT

This First Amendment (“First Amendment”) to Contract is made by and between the City of Richmond, a municipal corporation and political subdivision of the Commonwealth of Virginia (the “City”) and The Black History Museum and Cultural Center of Virginia, Inc., a Virginia nonstock corporation (the “Museum”).

RECITALS

A. The City and the Museum are parties to that certain Contract entered into on the ____ day of _____, 2022 (the “Contract”), in which the City disposed of (i) all war monuments and memorials removed pursuant to Ordinance No. 2020-154, adopted August 3, 2020, except for the General A. P. Hill monument located at the intersection of West Laburnum Avenue and Hermitage Road and (ii) all personal property acquired pursuant to Ordinance No. 2022-001, adopted January 5, 2022, by donating such (the “Monuments”) to the Museum.

B. By Resolution No. 2022-____, (the “Resolution”), the City Council of the City directed the disposition of the A. P. Hill Monument (the “Monument”) to the Museum.

C. The City and Recipient desire to amend the Contract in accordance with the Resolution and with the terms and conditions set forth herein to dispose of the Monument by donating it to the Museum.

D. Unless otherwise defined herein, all capitalized terms used in this First Amendment shall have the meanings ascribed thereto in the Contract.

AMENDMENT:

In consideration of the covenants and conditions herein set forth, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby amend the Contract as follows:

1. Donation of Monument. The parties hereby amend the Contract to include the Monument in the inventory of property donated to the Museum.

2. Limited Amendment. Except as specifically modified in this First Amendment, all other provisions of the Contract remain the same and shall apply to section 1 of this First Amendment and the Monument donated thereby. If any of the terms of this First Amendment conflict with the Contract, the terms of this First Amendment shall control.

3. Counterparts. This First Amendment may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument. This First Amendment is signed when a party’s signature is delivered by facsimile, email, or other electronic medium. These signatures will be treated in all respects as having the same force and effect as original signatures.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have executed this First Amendment:

THE MUSEUM:

THE CITY:

By: _____
Marland Buckner
Interim Executive Director

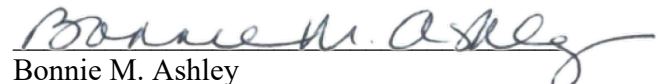
By: _____
J. E. Lincoln Saunders
Acting Chief Administrative Officer

Authorized by Res. No. 2022-R____,
adopted _____, 2022.

By: _____
Betty J. Burrell
Director of Procurement Services

Authorized by section 21-106(a) of the Code of
the City of Richmond.

APPROVED AS TO FORM:


Bonnie M. Ashley
Deputy City Attorney

A.P. Hill Monument Removal

Communications Plan Outline

I. Purpose

- a. To ensure a proactive and effective communication strategy related to the removal and disposition of the A.P. Hill monument, in addition to the respectful reinternment of Lt. Gen. A.P. Hill's remains.

II. Key Audiences

- a. City Council
- b. City Administration, including the Mayor, CAO, and relevant department heads
- c. Project Team, including contractors and vendors as appropriate
- d. Richmond residents, in particular those in close proximity to the monument

III. Key Messages

- a. In the summer of 2020, the City of Richmond removed certain war memorial monuments on city-owned property, pursuant to section 15.2-1812 of the Code of Virginia (1950), as amended.
- b. Per Ord. No. 2020-154, disposition of the monuments listed in Ord. No. 2020-154 ("monuments to be removed"), may be determined by adoption of a resolution.
- c. According to the Code of Virginia, the City Council "shall have sole authority to determine the final disposition of the monument or memorial."
- d. It is the desire of the City Administration to transfer said monument and associated pedestal (once removed) to the Black History Museum – an organization with expertise on items related to history and culture – to engage the community to determine any future use of said monuments and pedestals. The Black History Museum will execute this work with additional assistance from the Valentine Museum.
- e. In conjunction with the removal of the monument and pedestal, the City has also made arrangements concerning the respectful reinternment of the remains of Lt. Gen. A.P. Hill to Fairview Cemetery in Culpeper, Virginia.

IV. Outreach Plan¹

- a. Initiation of Communications Plan contingent upon CAO approval to proceed with project
- b. Upon approval and prior to submission of O&R to City Council, preliminary communications will be made to the President of City Council and the Councilmember in whose district the monument sits, in addition to others as appropriate.
- c. Upon introduction and adoption of the O&R to City Council, court approvals will be sought.
- d. Upon completion of court approval, the project will commence. Communications will include but not be limited by:
 - i. Additional communication to City Council
 - ii. Public outreach regarding project logistics, to be advised by Mayor's Press Secretary and the Office of Public Information and Engagement, including
 1. Traffic plans
 2. Construction plans with respect to integrity of statue and stonework
 3. Reinternment plans with respect to remains of Lt. Gen. A.P. Hill
 4. Interim roadway treatment plans following successful removal
 5. *NOTE*: Public outreach and engagement of the future of the monument will be at the discretion of the Black History Museum, per the Contract

¹ If at any point the City is contacted by the descendants of Lt. Gen. A.P. Hill, this plan may be modified in accordance with their wishes.

AP Hill Statue and Grave Removal, Pedestal Removal, Site Work and Statuary Storage Relocation

General Ambrose P. "A.P." Hill Grave and Monument Background:

July 1, 1891, AP Hill's remains were moved for a fourth time, from Hollywood Cemetery to the AP Hill monument site at Laburnum Avenue. The Hollywood Cemetery coffin had disintegrated and a strong oaken case lined with white was selected as the coffin for the monument site.

As was expected the box and coffin had fallen to pieces and only the skeleton in a crumbling condition and fragments of the uniform were left. On the sleeve and the collar the Insignia of rank were very well preserved. The contents of the grave at Hollywood were transferred with the greatest of care and deposited in a strong oaken case lined with white. Source: *Richmond Dispatch* July 2, 1891 (attached)

The "white" lining could have referred to tin or lead as this was a reference often used in this period. Or it could refer to "white-wash", painted lining.

Source: *Christin Vida, Curator of Collections, The Valentine Museum*

The oaken coffin was lowered into the monument's "receptacle" (pedestal) and three stones were laid on top. The monument stone work had already reached a height of 6 feet prior to the lowering of the oaken box.

Source: *Richmond Dispatch, July 2, 1901 (attached)*

Grave Removal Plan of Action:

Date of Grave Removal: to be determined

Once Team Henry is given the Notice to Proceed, statuary removal followed by pedestal removal can commence within 10 days.

All city required permitting has been received.

Contract with Team Henry has been let and city funding has been reserved and assigned for this project.

Condition of the strong oaken box lined with white and AP Hill remains: undetermined, City and Bennett Funeral Home will be prepared to remove remains from a deteriorated oaken box and transfer remains carefully to a new burial vessel/coffin.

Day of Grave Removal: Select day with A.P. Hill's family, Bennett Funeral Homes and VaDHR according to:

- Good weather day
- No conflicts with Three Acres School activities
- No conflicts with RIR Raceway

Day of Grave Removal: Site to be staged and prepped as follows:

- MOT traffic redirection preapproved via WISP process
- Large secured area surrounding monument to be cordoned off (Team Henry)
- Police to restrict drones (this is not an FAA restricted area presently re: drones)
- Curtains/screen or tent the site for removal of remains (*tenting would be difficult due to crane movements below*)

Day of Grave Removal: Required attendees:

- Team Henry (site superintendent, crane, crane, operator, traffic control manager, heavy equipment operators)
- Jeannie Welliver, City of Richmond project manager for statuary, pedestal and burial site removal
- Shamar Young, City of Richmond Parks and Rec. Cemetery Manager
- Paul DiPasquale, monument consultant hired by the City of Richmond
- Coroner
- Funeral Director, Bennett Funeral Home
- Appropriate person to collect remains and transfer to a new vessel
- Police if necessary (drones)

Day of Removal: Required equipment on site:

- Body Bag
- Casket (casket selected by family)
- Hearse
- Vault (lead, zinc or Ziegler metal case casket)
- Vault buggy **cannot just back vault buggy up to the hill, will need a crane + lifting straps*
- Boom Truck + Crane + Lifting Straps

Additional Notes:

1. If existing oaken coffin is intact and is sealed, existing coffin and or vault will not be disturbed.
2. Remains to be transported by Bennett Funeral Home directly to funeral home then the burial site, or Culpepper, Virginia, new burial site (as the AP Hill family directs).
3. New grave marker or headstone to be selected by the AP Hill family and Bennett Funeral home and fabricated for new grave in Culpepper, Virginia.
4. Bennett Funeral Home to submit a budget to the City Of Richmond for services, body bag, casket, headstone, vault buggy, hearse to Robert.steidel@rva.gov and copy adam.hohl@rva.gov.