

**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



Agenda Date:	May 3, 2021
Action Required:	Adoption of Resolution (1 reading)
Presenter:	Charles P. Boyles, II, City Manager
Staff Contacts:	Charles P. Boyles, II; Lisa Robertson
<b>Title:</b>	<b>Public Notice of Council's Intentions Relating to Confederate Statues</b>

**Background:**

In 2016 the Charlottesville City Council adopted a resolution stating its intention to remove a statue depicting Confederate General Robert E. Lee from a City park. Shortly thereafter, a lawsuit was brought against the City, challenging the City's authority to remove the statue. In 2017 City Council adopted a resolution stating its intention to remove a statue depicting Confederate General Stonewall Jackson from a City park, pending resolution of the lawsuit in the City's favor. (Together, the Lee and Jackson figures are referred to in this memo as the "Statues"). Recently, the Supreme Court of Virginia decided the lawsuit in favor of the City. The City received the Supreme Court's mandate (final decision) on April 21, 2021. The mandate releases the City from the prohibitions of the injunction entered by the Charlottesville Circuit Court in September 2019.

In 2020 the Virginia General Assembly amended the provisions of Va. Code §15.2-1812. The statute now offers a process by which a local governing body may announce its intentions, conduct a public hearing, and proceed to vote as to whether to remove, relocate, contextualize or cover a publicly-owned installation.

**Discussion:**

Due to the passage of time since Council's first votes in 2016 and 2017, and to allow the current City Council an opportunity to make its own decision on this important issue, it is recommended that City Council take action to reaffirm its intentions. The amended provisions of Va. Code §15.2-1812 provide an orderly structure for such action.

Attached is a Resolution requesting the Clerk of Council to cause notice of City Council's intention to remove, relocate, contextualize or cover the Statues to be published within a newspaper, along with notice of a date on which a public hearing will be held regarding Council's stated intention. The proposed Resolution does not specify a particular date; however, based on the timeline set forth within Va. Code §15.2-1812, the earliest Council meeting date at which a public hearing could be placed on Council's agenda would be June 7, 2021.

**Alignment with Council Vision Areas and Strategic Plan:** Yes.

**Community Engagement:**

There has been extensive community engagement on this topic, including a prior City Council's appointment and consideration of the recommendations of a Blue Ribbon Commission on Race Memorials and Public Spaces, which recommendations were developed over the course of many months of research, deliberations, and listening to public comment.

**Budgetary Impact:** None at this time.

**Recommendation:** It is recommended that City Council follow the process set out within Va. Code §15.2-1812. It is also recommended that City Council request the City's Board of Architectural Review to review this matter.

**Alternatives:** None recommended at this time.

**Attachment (1):** Proposed Resolution

**RESOLUTION**  
**AUTHORIZING PUBLICATION OF NOTICE OF CITY COUNCIL’S INTENTION TO REMOVE, RELOCATE, CONTEXTUALIZE OR COVER STATUES OF CONFEDERATE GENERALS LEE AND JACKSON CURRENTLY LOCATED WITHIN CITY PARKS, AND TO HOLD A PUBLIC HEARING THEREON**

WHEREAS, the Charlottesville City Council intends to remove, relocate, contextualize or cover the statues of Confederate General Robert E. Lee and Stonewall Jackson installed, respectively, within Market Street Park and Court Square Park (together, the “Statues”); now, therefore,

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

1. THAT the Clerk of Council shall cause notice of City Council’s intent to remove, relocate, contextualize or cover the Statues to be published within a newspaper having general circulation within the City. Such notice shall specify the time and place of a public hearing at which interested persons may present their views, not less than thirty (30) days after the date of publication of the notice, and

2. THAT the City’s Board of Architectural Review is hereby requested to consider City Council’s stated intent to remove, relocate, contextualize or cover the Statues prior to the public hearing date specified in the published newspaper notice.