

**Dr. Martin Luther King, Jr. Memorial Commission, Richmond  
December 2, 2015, January 7, 2016, April 19, 2016, and June 7, 2016**

The Dr. Martin Luther King, Jr. Memorial Commission (the Commission) met jointly with its Emancipation Proclamation and Freedom Monument Subcommittee (the Subcommittee) on December 2, 2015, January 7, 2016, April 19, 2016, and June 7, 2016, to continue deliberations concerning the selection of an artist for and other matters pertaining to the Virginia Emancipation Proclamation and Freedom Monument and to consider other matters coming before the Commission.

**December 2, 2015**

The Commission and Subcommittee discussed the process for (i) the notification of the artist when selected, (ii) questions for the artist, and (iii) requested modifications to the model by members. It was agreed that Commission members would submit their questions and requested modifications to Chairwoman Jennifer McClellan and staff in order that they may be directed to the final artist. It was agreed further that staff would notify the finalist, Thomas Jay Warren of Oregon, of the Commission's preliminary interest in his model provided certain stipulations could be satisfied. Julie Whitlock, Legal and Legislative Director at the Department of General Services, provided an update on matters that should be considered when selecting a design for the monument and Mark Olinger, Director of the Department of Planning and Development Review for the City of Richmond, presented the city's Public Art Commission's Review and Acceptance Policy for Gifts of Works of Art.

The Commission continued its review of a request for collaboration received from the Northside High School Museum Committee in Danville for the completion of phase 2 of its museum. The Commission agreed to partner with the museum if it could be determined that the request did not constitute procurement, which would require the Commission to adhere to the Public Procurement Act, if not exempted therefrom by the Speaker of the House of Delegates. The Commission agreed to ask the Speaker for an exemption; however, subsequently, it was determined that because the museum was contracting with the vendor, the Commission's collaboration was not deemed procurement.

A draft of updated policies governing and clarifying the Commission's partnerships and collaborations in the future was reviewed and action deferred to the next meeting. The Commission agreed to participate in and support various programs and events commemorating the national King Holiday, including the annual Community Leaders Breakfast Program in Richmond, and to send a representative to the King-in-Name (K.I.N.) and King Related Organizations & Entities (K.R.O.E.) conference in Atlanta during spring 2016.

**January 7, 2016**

A review and discussion of the relevant Code of Virginia sections concerning the exemption of legislative agencies and groups from the Public Procurement Act ensued. The request of the Northside High School Museum Committee was deferred to the Commission's next meeting after the 2016 Session when representatives of the Commission can follow up on its request of the Speaker.

King Davis, Ph.D., Research Professor, School of Information at the University of Texas at Austin and former Commissioner of the Virginia Department of Behavioral Health and Developmental Services, presented The Central State Hospital Archives Project, 1866-1940, which seeks to preserve hospital and patient records through a contemporary digital library. Central State Hospital, established in 1867 after the American Civil War, is the first mental health hospital for African Americans in the nation. The project will enable historians, health care providers, researchers, genealogists, African Americans, and

others to access patient level data, use longitudinal research data to resolve disparities, compare privacy policies by state, and bring attention to Central State Hospital's history. Dr. Davis appealed to the Commission to support and collaborate with the project and assist it in preparing for the 150th anniversary of Central State Hospital in 2017.

The Commission embarked upon a protracted discussion of the history and ordinances related to the Reconciliation Monument, requested changes and modifications to the Warren model, and discussed the criteria and process by which Virginians would be selected to be engraved on the monument and next steps that may be required by the City of Richmond and the Virginia Department of General Services. Thomas Jay Warren, the finalist, was asked to make modifications to his model and provide a new budget to the Commission in April at its next meeting. Chairwoman McClellan appointed two work groups: Virginians on the Monument and "King in Virginia, 2017-2018."

The Commission adopted updated policies to govern its collaborations and partnerships. It also agreed to support the 38th annual Community Leaders Breakfast at Virginia Union University on January 15, 2016. In addition, a work plan for the 2016 legislative interim was adopted.

#### **April 19, 2016**

The Commission and Subcommittee reviewed and approved drafts of a letter to the Speaker of the House of Delegates requesting an exemption from the Public Procurement Act with regard to the request by the Northside High School Museum Committee for the Commission's collaboration with their museum project and a letter to Dr. King Davis, indicating support for the Central State Hospital Archives Project.

Thomas Jay Warren presented the changes to his model and responded to questions posed by the Commission in its letter dated February 25, 2016. The Commission and Subcommittee voted to approve the 12-foot life-size model at the cost of \$280,000 to which the modifications had been made. Next, the Commission voted to direct Chairwoman McClellan and Dr. Schroder, Commission member, to negotiate a contract with Mr. Warren pursuant to the February 25, 2016, letter from the Commission and members' requested changes to the model.

Members were asked to review Dr. Schroder's written update on the § 501(c)(3) status of the Martin Luther King, Jr. Memorial Commission Emancipation Proclamation and Freedom Monument, Inc. Board of Directors organization in the meeting packet. Chairwoman McClellan named the members and other nonlegislative citizens appointed to the work groups previously established and directed staff to notify these persons of their appointments. It was agreed that the criteria for Virginians on the monument and the timeline would be discussed and determined at the Commission's next meeting.

#### **June 7, 2016**

The Commission and Subcommittee met jointly on June 7, 2016, to continue planning for the Virginia Emancipation Proclamation and Freedom Monument with representatives of the City of Richmond and the Virginia Department of General Services and for the proposed partnership with the Northside High School Museum Committee.

Mark Olinger, Director of the City of Richmond's Department of Planning and Development Review, presented the city's processes for the Emancipation Proclamation statue. He noted that the city owns Brown's Island and has a long-term lease with Venture Richmond, which has rights to the property, prohibiting the city's direct lease of the property to the Commonwealth. However, Venture

Richmond may sublease space for the monument to the Commonwealth, if the city concurs. Concurrence will require action by Richmond City Council, a process which may take a minimum of two to three months. A new location needs to be identified for "The Mill," the current artwork situated on Brown's Island at the proposed site for the Emancipation Proclamation and Freedom Monument and the estimated cost for moving the artwork needs to be determined. Under city policies, the Public Art Commission (PAC) and the City Planning Commission (CPC) must review publicly owned property on which artwork will be sited. The Public Art Commission will not opine concerning the artwork but will make a recommendation to the CPC. This process also takes a minimum of two to three months. Mr. Olinger described the process in detail below.

Application must be made to the PAC for review pursuant to the City of Richmond Public Art Commission Review and Acceptance Policy for Gifts of Works of Art. The process includes identifying the new location for the existing artwork, "The Mill," which was donated to the city by MeadWestvaco, now WestRock, that is currently sited at the location proposed for the Emancipation Proclamation and Freedom Monument. It was noted that the Commission's artist and "The Mill's" donor should be included in the process after Venture Richmond and the City of Richmond have decided on the new location for the current artwork. Funding for the artwork's relocation should be provided by the Commission with the artist contracted to oversee its movement. After the new location has been approved, the PAC will make its recommendation to the CPC, which will take action. One year is allotted for planning purposes for this aspect of the process. The Commission voted to direct Chairwoman McClellan and Dr. Schroder, Commission member, to begin negotiations with the City of Richmond in compliance with the city requirements to site the monument on Brown's Island. Mr. Olinger was requested to provide an estimate for the relocation of the existing artwork and a copy of the sublease for space for artwork by Venture Richmond at the Commission's September meeting.

Christopher Beschler, Director of the Department of General Services, stated that whether the monument would be city or state property needs to be determined, and he explained that inspection of the monument may be negotiated with Venture Richmond. Next, Dr. Schroder overviewed the draft of the fiscal sponsorship agreement for the Virginia Emancipation Proclamation and Freedom Monument in lieu of the Martin Luther King, Jr. Memorial Commission Emancipation Proclamation and Freedom Monument, Inc. Board, the § 501(c)(3) organization established by the Commission. The Commission voted to forgo the completion of the nonstock corporation and establish the fiscal sponsorship agreement through the Virginia Foundation for the Humanities and Public Policy, which will facilitate the ease of potential donations and disbursement of funds.

The Commission, Subcommittee, and Advisory Council members reviewed and discussed the criteria for Virginians who will be depicted and the timeline on the monument. The criteria was amended to clarify that only living male and female Virginians would be considered for the monument, and the timeline was corrected to provide for the period before Emancipation (pre-1619-1865), which includes the great African kingdoms and slavery through Emancipation, and the period during the struggle for Freedom (1866-1970), including Reconstruction, Black Codes, Jim Crow, and the Civil Rights Movement. The text of the Emancipation Proclamation of 1863 and the Thirteenth Amendment to the United States Constitution was also reviewed by members.

The request for partnership with the Commission by the Northside High School Museum Committee for Phase 2 of the museum was considered and approved with the following stipulations. The Commission voted to direct Dr. Schroder to draft an agreement providing for a partnership with Northside High School Museum Committee that ensures appropriate rights to the Commission, accuracy

of information, licensure of images, a link to the Commission's website, and payment of the \$8,123.72 estimate by Bright Images, Inc., minus \$171.32 in sales tax for a total cost of \$7,952.40.

Delegate Delores McQuinn, who represented the Commission, presented her report on the King-in-Name (K.I.N.) and King Related Organizations and Entities (K.R.O.E.) conference that was held April 27-29, 2016, in Atlanta. The two-day orientation focused on the education and training concerning Dr. King's life, philosophy, perspectives, principles of nonviolence, and leadership in the Civil Rights Movement. Conference attendees toured his birthplace, Ebenezer Baptist Church, and The King Center and participated in a tree dedication and wreath laying ceremony to honor Coretta Scott King's birthday.

Chairwoman McClellan noted that History Makers, based in Chicago, is interested in exploring with the Commission the potential for collaboration regarding mutual interests. Delegate McQuinn commented that the Samuel DeWitt Proctor International Conference, Inc., a national organization of progressive African American faith leaders and churches, will hold its annual conference in Richmond in February 2017 and that the Commission should consider supporting and participating in the conference as appropriate.

Chairwoman McClellan appointed the current Martin Luther King, Jr. Memorial Commission Emancipation Proclamation and Freedom Monument, Inc. Board of Directors as the Martin Luther King, Jr. Fundraising Work Group. She asked that the Commission's work groups meet prior to the next meeting in September.

Hon. Jennifer L. McClellan, Chairwoman  
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