

ETHICS AND ACCOUNTABILITY BOARD

PUBLIC NOTICE

Ethics and Accountability Board Meeting

NOTICE OF CANCELLED MEETING

Ethics and Accountability Board

Monday, October 12, 2020

On Tuesday, March 10, 2020, Governor Gretchen Whitmer declared a State of Emergency after two individuals were confirmed testing presumptively positive for COVID-19. On Thursday, March 12, 2020, Mayor Sheldon A. Neeley declared a local State of Emergency to exist in the City of Flint as a result of the threat of COVID-19. On Sunday, March 15, 2020, effective March 17, 2020, Mayor Neeley, based on the COVID-19 public health threat, closed City Hall to the public. Residents were asked to take precautionary measures. On March 22, 2020, Mayor Neeley, asked residents to participate in a voluntary shelter in place. On March 23, 2020, the City Council approved the continuation of the declaration of a local State of Emergency.

On June 1, 2020 Governor Whitmer instituted Executive Order 2020-110 (temporary restrictions on certain events, gatherings, and business) in order to reaffirm, clarify and extend the suspension of activities not necessary to sustain or protect life. On June 5, 2020, Governor Whitmer instituted Executive Order 2020-115 amending in part Executive Order 2020-110. The order took immediate effect. On June 18, 2020, Governor Whitmer instituted Executive Order No. 2020-127 (Declaration of State of Emergency and State of Disaster related to the COVID-19 pandemic), which took immediate effect and rescinded EO 2020-99. On Friday, July 29, 2020, Governor Whitmer issued Executive Order 2020-160, Amended Safe Start Order, replacing orders 2020-115, 2020-120, 2020-133 and 2020-143.

On June 18, 2020, Governor Whitmer instituted Executive Order 2020-129 (Temporary authorization of remote participation in public meeting and hearings and temporary relief from monthly meeting requirements for school boards), which extended the duration of remote meetings, and rescinded EO 2020-75.

On Friday, October 5, 2020, the Michigan Supreme Court (MSC) issued an order declaring that the Emergency Powers of Governor (EPG) Act was an unconstitutional delegation of legislative authority, which was the primary authority relied on by Governor Whitmer for her COVID-19 related executive orders. Subsequently, Governor Whitmer requested that MSC clarify that their order does not go into effect until October 30, 2020. On Monday October 12, 2020, the Michigan Supreme Court rejected Governor Whitmer's request to delay the effect of its decision to strike down the EPG. Therefore, the City is without authority to continue to hold in electronic meetings until the State House and Senate act to adopt House Bill 6207 and Senate Bill 1108, amending the Open Meetings Act to allow for electronic meetings.

If there are any questions concerning this notice, please direct them to the Office of Ombudsperson (810) 237-2020