

RESOLUTION NO. 24-05 AUTHORIZING REVISIONS AND MODIFICATIONS TO THE DELAWARE RIVER AND BAY AUTHORITY FREEDOM OF INFORMATION REGULATIONS

WHEREAS, The Delaware River & Bay Authority (the “Authority”) was created by a Compact between the States of Delaware and New Jersey in 1962 for the public purpose of providing regional transportation and conducting certain other authorized activities between the two States; and

WHEREAS, the Authority operates two vital transportation links, the Delaware Memorial Bridge and the Cape May – Lewes Ferry as well as five regional aviation facilities in both Delaware and New Jersey; and

WHEREAS, as a public agency, the Authority adopted Freedom of Information Regulations (the “Regulations”) at its April 17, 1990 public meeting; and

WHEREAS, the Authority has amended the Regulations on three different occasions by the adoption of Resolution 00-03, Resolution 04-05 and Resolution 15-19; and

WHEREAS, the Regulations currently provide that meetings between the Chair and Vice Chair of either the Commission or any Committee and Authority staff members for purposes of setting an agenda shall not be subject to open meeting requirements; and

WHEREAS, during such agenda setting meetings, Authority staff desire to brief the Chair and Vice Chair of either the Commission or any Committee, as applicable, on matters related to agenda items; and

WHEREAS, from time to time, the Chair and/or Vice Chair of either the Commission or any Committee, as applicable, desire to include Commissioners from either State in agenda setting meetings; and

WHEREAS, briefings by Authority staff during agenda setting meetings are not for the purpose of the Chair and Vice Chair of the Commissioner or any Committee, as applicable, and any other Commissioners present, if any, taking action on such agenda items; and

WHEREAS, in order to maintain enhanced transparency as to the Authority’s governance, the Authority desires to update its Regulations to further detail the scope of its agenda setting meetings; and

WHEREAS, the Authority has concluded that the revised Freedom of Information Regulations are reasonable, necessary, proper and desirable; and

WHEREAS, the Authority desires to amend the Freedom of Information Regulations with an effective date of February 1, 2024.

NOW THEREFORE BE IT RESOLVED that the revised Freedom of Information Regulations for the Delaware River and Bay Authority, attached hereto, are hereby adopted with an effective date of February 1, 2024.

Resolution 24-05 - Executive Summary Sheet

Resolution: Amends and revises the Authority's Freedom of Information Regulations

Committee: Audit and Governance Committee

Committee/

Commission Date: January 17, 2024

Purpose of Resolution:

The Authority desires to amend and revise its Freedom of Information Regulations (FOIR) to further describe and define the agenda setting meetings and briefings by Authority staff on matters related thereto.

Background for Resolution:

In an effort to ensure that the Authority's public business is performed in an open, public, and transparent manner, the DRBA Commissioners adopted FOIR on April 17, 1990, as amended from time to time. To continue to maintain transparency, the Authority now desires to further amend such regulations to clarify the types of meetings exempt from notice requirements.