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Date: October 20, 2004
Patron: Michele Byers, Chair
Plan Implementation Committee

RESOLUTION

MEMORANDUM OF UNDERSTANDING BETWEEN AND BY THE NEW JERSEY STATE PLANNING COMMISSION AND THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on September 18, 1992, the State Planning Commission (Commission) and the Council on Affordable Housing (Council), pursuant to and in accordance with their respective statutory responsibilities, entered into a Memorandum of Understanding for the purpose of developing a cooperative process to better enable the Commission and the Council to carry out their legislative mandates; and

WHEREAS, the cooperative planning process developed pursuant to that Memorandum of Understanding continues to advance coordinated and comprehensive planning in the State of New Jersey and provide for greater predictability in planning with respect to meeting the legislative mandates of both the Commission and the Council, to the benefit of State agencies, counties, municipalities and the public interest; and

WHEREAS, the Commission, following the adoption of a new State Development and Redevelopment Plan on March 1, 2001, has, with the release of the Preliminary State Plan on April 28, 2004, initiated the process of again revising and readopting a new State Development and Redevelopment Plan; and

WHEREAS, the Commission had also revised and readopted the State Planning Rules (N.J.A.C. 5:85-1.1 et seq.) which revised rules took effect on May 17, 2004; and

WHEREAS, the Council has proposed revisions to its rules (N.J.A.C. 5:94-1.1 et seq. and N.J.A.C. 5:95-1.1 et seq.) to provide for a new "growth share" approach to be utilized in determining municipal fair share housing obligations; and

WHEREAS, the public comment period on that rule proposal has now ended; and

WHEREAS, the Commission and the Council have determined that it is now appropriate to update the Memorandum of Understanding previously executed by the Commission and the Council by approving and executing a new Memorandum of Understanding that improves the level of

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coordination and cooperation between the Council and the Commission as they implement their respective new initiatives; and

WHEREAS, the Commission accordingly desires to approve the new Memorandum of Understanding, to agree to the principles set forth therein, and to authorize the secretary and principal executive officer of the Commission to execute the Memorandum of Understanding on the Commission's behalf,

NOW THEREFORE BE IT RESOLVED that the State Planning Commission hereby approves the Memorandum of Understanding (a copy of which is attached hereto) which is to be executed by the State Planning Commission with the Council on Affordable Housing upon final adoption by the Council on Affordable Housing of its Round III rules, N.J.A.C. 5:94-95, provided that they are consistent with this Memorandum of Understanding; and

BE IT FURTHER RESOLVED that the State Planning Commission hereby authorizes its secretary and principal executive officer, Adam Zellner, to execute the Memorandum of Understanding on behalf of the State Planning Commission, upon final adoption by the Council on Affordable Housing of its Round III rules, N.J.A.C. 5:94-95 provided that they are consistent with this Memorandum of Understanding.