

Attachment #2: Text of Cal. Government Code § 65403(c) and Cupertino Municipal Code Section 2.32.070.C

California Government Code Section 65403(c) reads

The capital improvement program shall be adopted by, and shall be annually reviewed and revised by, resolution of the governing body of the district or local agency. Annual revisions shall include an extension of the program for an additional year to update the five-year program. At least 60 days prior to its adoption or annual revision, as the case may be, the capital improvement program shall be referred to the planning agency of each affected city and county within which the district or agency operates, for review as to its consistency with the applicable general plan, any applicable specific plans, and all elements and parts of the plan. Failure of the planning agency to report its findings within 40 days after receipt of a capital improvement program or revision of the program shall be conclusively deemed to constitute a finding that the capital improvement program is consistent with the general plan.

City of Cupertino Municipal Code

Pursuant to Municipal Code Section 2.32.070 (C) the Planning Commission shall,

C. Annually review the capital improvement program of the City and the local public works projects of other local agencies for their consistency with the General Plan (pursuant to Sections 65400 et seq. of the California Government Code)