



# REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

CONSENT REPORT  
November 4, 2010

Honorable Members of the  
Law and Legislation Committee

**Subject:** Ordinances Eliminating the Time Limit to Incur Debt Pursuant to California  
Redevelopment Law, Health and Safety Code Section 33333.6

**Location/Council District:** Alkali Flat Redevelopment Area (Districts 1 and 3), Auburn  
Boulevard Redevelopment Area (District 2), Oak Park and Franklin Boulevard  
Redevelopment Areas (District 5), and North Sacramento Redevelopment Area  
(Districts 2 and 3)

**Recommendation:** Approve and forward to the full City Council for adoption of  
Ordinances eliminating the time limit to incur debt for the Alkali Flat, Auburn Boulevard,  
Franklin Boulevard, North Sacramento, and Oak Park Redevelopment Project Areas  
pursuant to California Community Redevelopment Law, Health and Safety Code  
Section 33333.6.

**Contact:** Chris Pahule, Assistant Director of Housing and Community  
Development, 440-1350

**Presenters:** N/A

**Department:** Sacramento Housing and Redevelopment Agency

**Description/Analysis:**

**Issue:** The indebtedness time limits for the Alkali Flat, Auburn Boulevard,  
Franklin Boulevard, North Sacramento and Oak Park Redevelopment Project  
Areas will expire in the next three years. This time limit affects the ability to issue  
new bonds and limits the incurrence of debt in any form. If the Agency does not  
amend these time limits, it will be restricted to refinancing existing bond debt, and  
will be unable to undertake new redevelopment initiatives. Per Community  
Redevelopment Law ("CRL"), redevelopment activities must be documented as  
debt.

In 1993, CRL was amended pursuant to AB 1290 and required that  
redevelopment plans contain a time limit to incur debt. Senate Bill 211 enacted in

2001 allows redevelopment agencies to eliminate the time limit to incur debt by adopting an ordinance if an Independent Redevelopment Consultant Report determines that the proposed amendment will not materially reduce tax increment allocations. The redevelopment effectiveness date would become the new indebtedness time limit. The current indebtedness time limits for the five Redevelopment Areas are as follows:

<u>Redevelopment Area</u>	<u>Indebtedness Time Limit</u>	<u>Effectiveness Date</u>
Alkali Flat	February 9, 2012	February 9, 2015
Auburn Boulevard	October 12, 2012	October 12, 2028
Franklin Boulevard	December 13, 2013	December 13, 2029
North Sacramento	June 29, 2012	June 29, 2028
Oak Park	May 29, 2013	May 29, 2016

The attached ordinances propose to amend the five redevelopment area plans by eliminating the last date to incur debt and allowing the new date to be the redevelopment area effectiveness date.

**Policy Considerations:** The recommended action is consistent with the respective 2009-2014 Implementation Plans and Redevelopment Plans for each redevelopment area. This action will allow the Agency to continue to pursue approved work plans and redevelopment activities that eliminate blight. The proposed action does not change or modify existing policy in any manner. This item will be Passed for Publication by the City Council on November 30, 2010.

**Environmental Considerations:** Redevelopment Plans were previously analyzed in accordance with the California Environmental Quality Act (CEQA) and Environmental Impact Reports were prepared and certified for each Plan. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plans and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the proposed plan amendments do not require further environmental review, pursuant to CEQA Guidelines Sections 15162 and 15163.

**Sustainability Considerations:** The contents of this staff report are consistent with the goals, policies and targets of the 2030 General Plan. If approved, this action will advance energy independence by improving energy efficiency and replacing or renovating obsolete energy or resources, inefficient infrastructure (buildings, facilities, systems, etc.) and assist in fostering public involvement and personal responsibility.

**Rationale for Recommendation:** The Indebtedness Time Limit for the Alkali Flat, Auburn Boulevard, Franklin Boulevard, North Sacramento and Oak Park Redevelopment Areas will expire in the near term necessitating that the redevelopment plans be amended if the Agency proposes to incur additional debt. If the Agency does not proceed with the proposed amendments, it will be restricted to refinancing existing bond debt only, and will be unable to undertake new redevelopment initiatives since all activities must be documented as debt. Further, an Independent Redevelopment Consultant Report determined that the proposed amendments do not impact the debt

coverage for the existing Alkali Flat, North Sacramento and Oak Park redevelopment area bonds and that tax increment allocations will not be materially reduced.

**Financial Considerations:** As required under CRL, an Independent Redevelopment Consultant analyzed the financial impact of the proposed amendments. The results are contained in two separate reports: 1) City of Sacramento Redevelopment Project Areas: Alkali Flat, Oak Park and North Sacramento and 2) Joint City and County of Sacramento Redevelopment Project Areas: Auburn and Franklin. Both Reports are on file with the Agency Clerk. In some cases, the proposed amendment will trigger mandatory tax increment sharing ("pass through") payments to local taxing entities pursuant to AB 1290. The financial impact of the new pass through payments on tax increment and the impact to existing debt coverage were analyzed. The following summarizes the Reports.

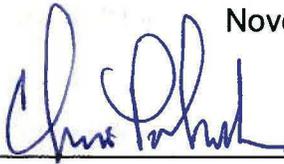
#### Alkali Flat, North Sacramento and Oak Park Redevelopment Areas

The Agency previously amended the Alkali Flat and Oak Park Redevelopment Areas to extend the time limit to incur debt, thus pass through payments pursuant to AB 1290 have already been triggered. Therefore, the proposed amendments will have no additional impacts on these two project areas. Additionally, the debt service coverage evaluation identified no impacts. The North Sacramento Redevelopment Area has four existing pass through payment agreements and the proposed amendment would trigger three new payments. The tax increment revenues North Sacramento will not be materially reduced by the proposed North Sacramento Redevelopment Area amendment.

#### Auburn Boulevard and Franklin Boulevard Redevelopment Areas

Since the Auburn Boulevard and Franklin Boulevard Redevelopment Areas were adopted prior to the enactment of AB 1290 in 1994, they are not subject to mandatory pass through payments. Instead, both project areas have negotiated pass through agreements with several taxing entities within their respective project areas. The removal of the time limit to incur debt will trigger additional pass through payments for only those taxing entities within the project areas for which a negotiated pass through agreement is not already in place. The Agency would begin making additional pass through payments in 2013 for Auburn Boulevard and 2014 for Franklin Boulevard. The independent fiscal consultant report concluded that the tax increment revenue collected by the Agency will not be materially reduced by the additional pass through payments and that the Agency should proceed with the amendment to ensure that redevelopment activities can continue through the end of the redevelopment plan.

**Emerging Small Business Development (ESBD):** N/A

Respectfully Submitted by:  \_\_\_\_\_  
 Chris Pahule  
 Assistant Director  
 Housing and Community Development

Approved by:  \_\_\_\_\_  
 LaShelle Dozier  
 Executive Director

Recommendation Approved:

  
 GUS VINA  
 Interim City Manager

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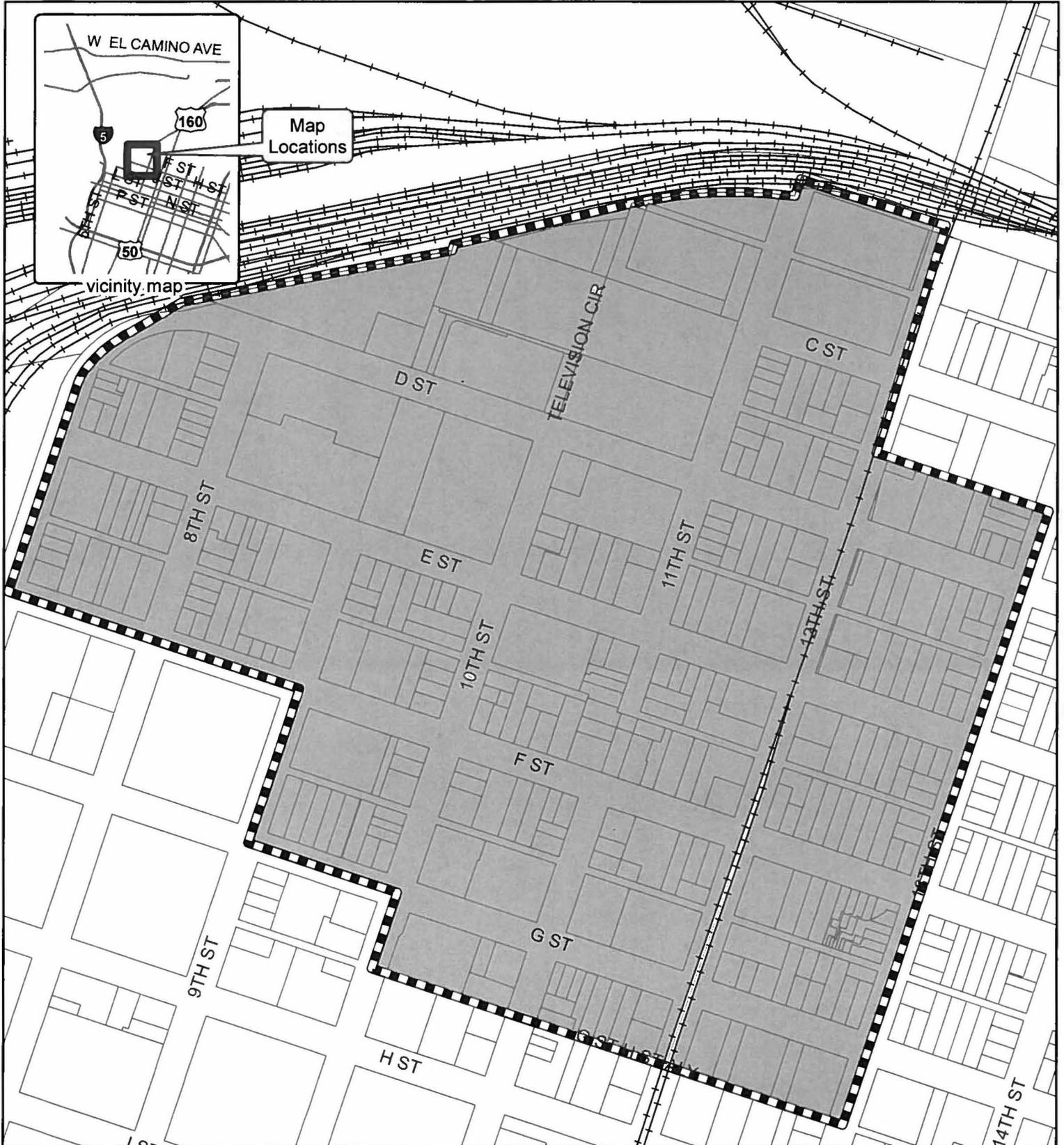
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Attachments

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# Alkali Flat Redevelopment Area



Alkali Flat Redevelopment Area



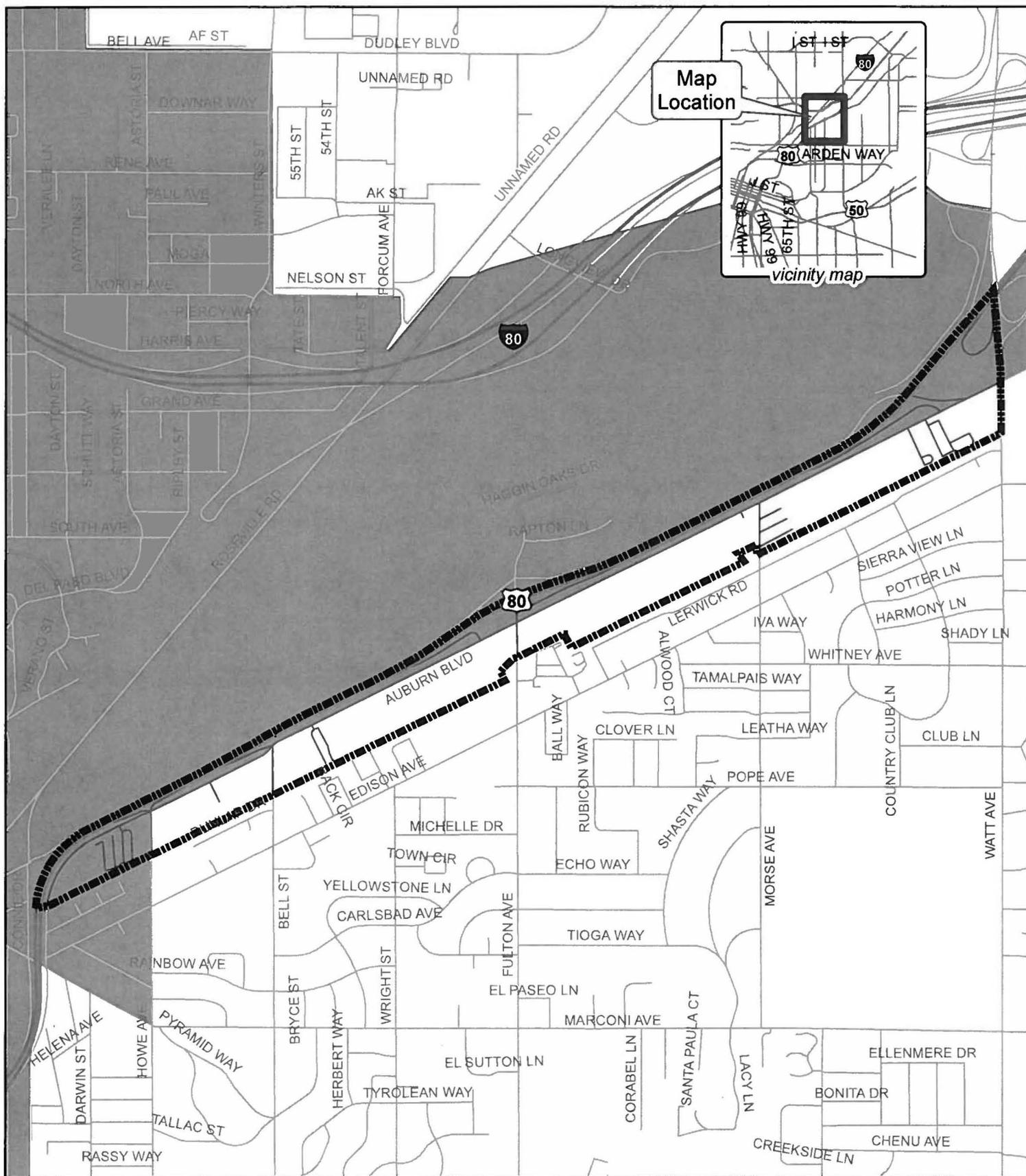
Railway



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# Auburn Boulevard Redevelopment Area

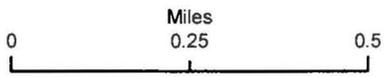


Map Location



Auburn Boulevard Redevelopment Area

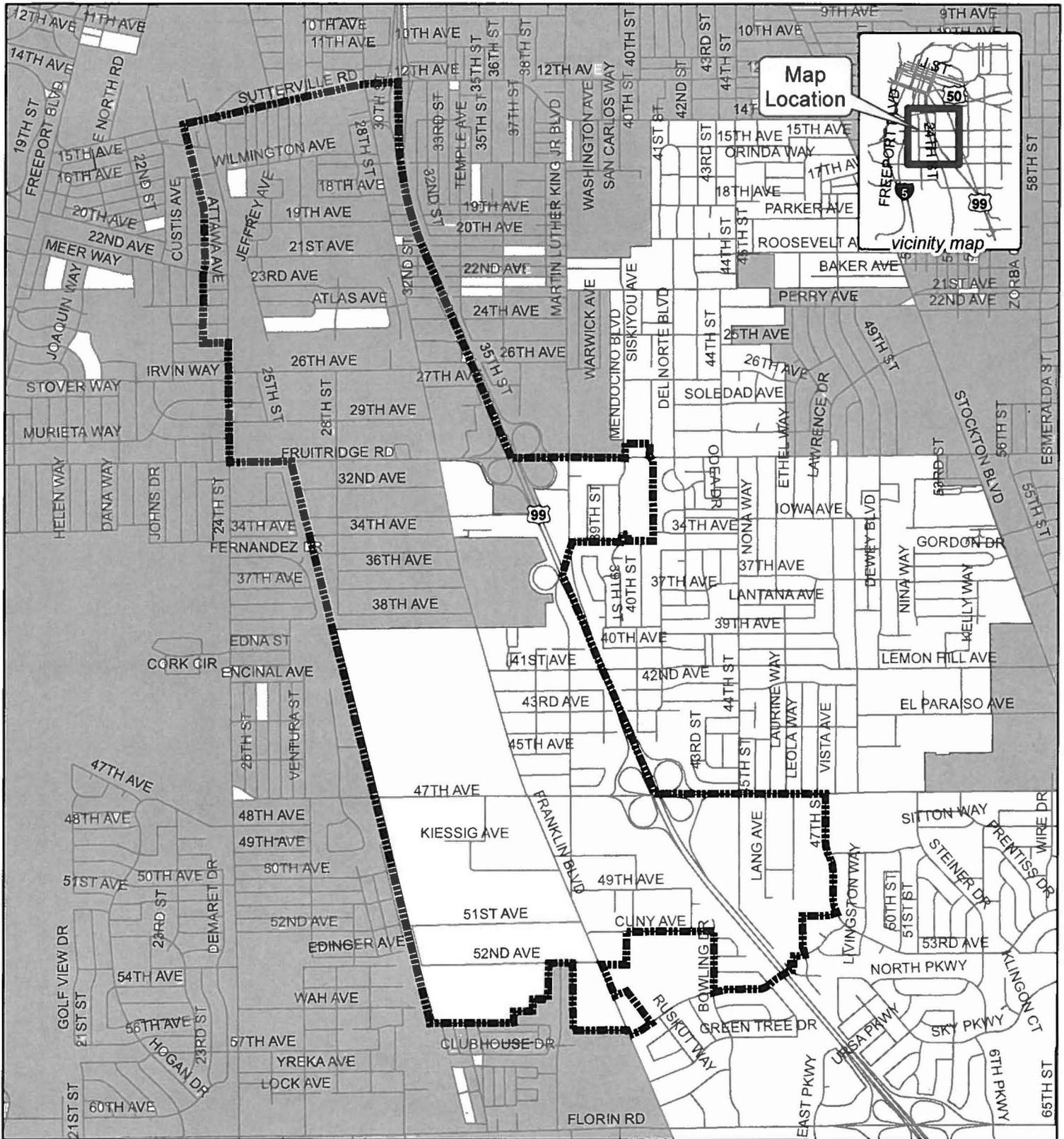
City of Sacramento



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# Franklin Boulevard Redevelopment Area



-  Franklin Boulevard Redevelopment Area
-  City of Sacramento



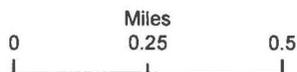
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October 4, 2010



# North Sacramento Redevelopment Area



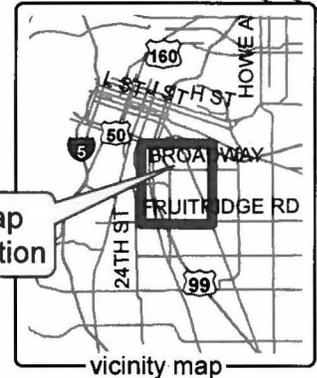
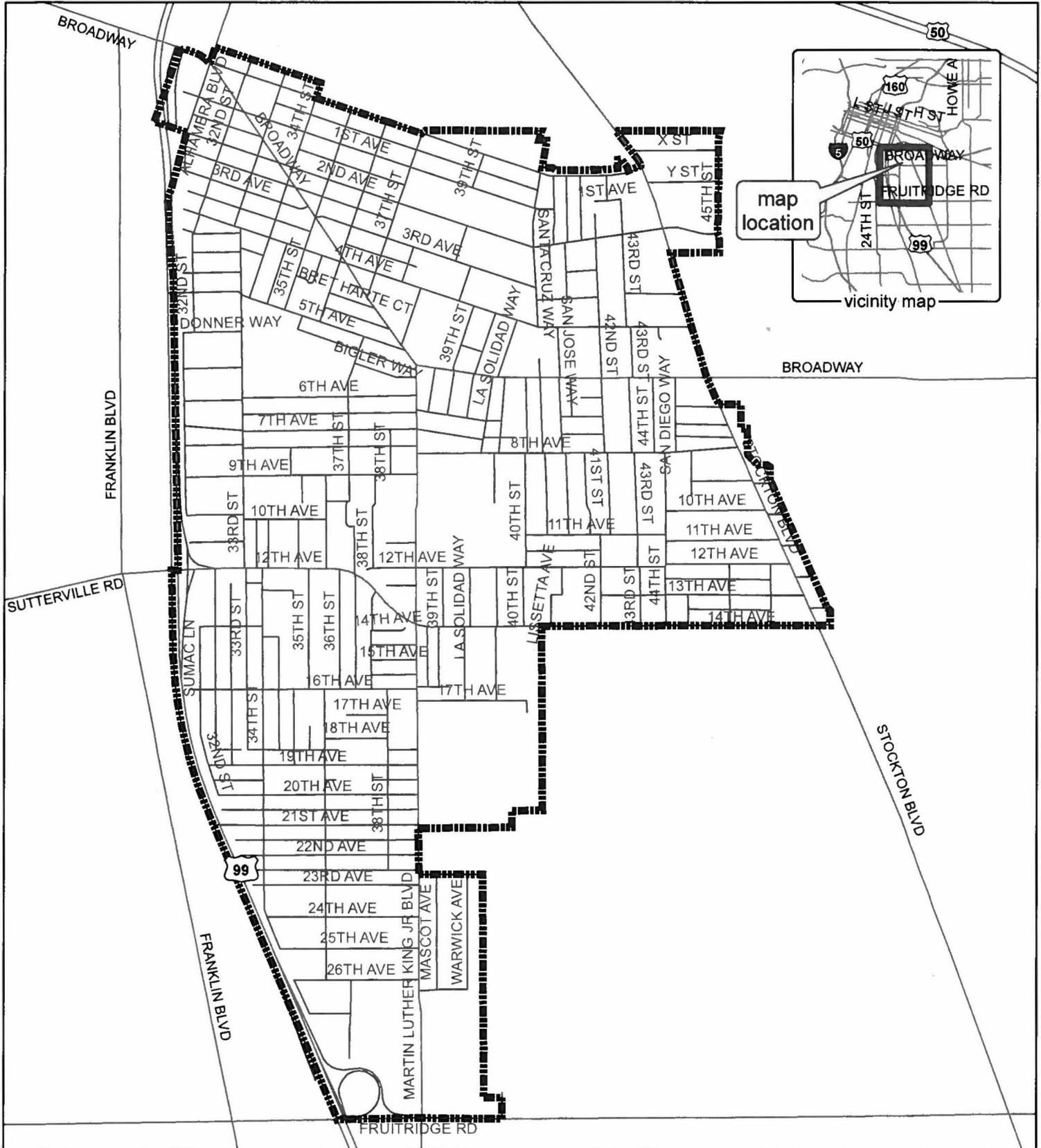
North Sacramento Redevelopment Area



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# Oak Park Redevelopment Area



Oak Park Redevelopment Area



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October 4, 2010

**ORDINANCE NO. 2010**

**Adopted by the Sacramento City Council**

on date of

**ORDINANCE ADOPTING THE ELEVENTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE ALKALI FLAT REDEVELOPMENT PROJECT AREA TO ELIMINATE THE TIME LIMIT ON INCURRING DEBT**

**BACKGROUND**

- A. Pursuant to Ordinance No. 3086 adopted on February 10, 1972, and in accordance with the provisions of California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"), the City Council ("City Council") of the City of Sacramento ("City") has approved and adopted the Redevelopment Plan for the Alkali Flat Redevelopment Project Area ("Redevelopment Plan").
- B. The Redevelopment Plan for the Alkali Flat Redevelopment Project Area has been amended from time to time, most recently on May 8, 2007, by Ordinance No. 2007-34.
- C. On January 1, 2002, Senate Bill 211 amended Section 33333.6 of the California Health and Safety Code, authorizing redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in redevelopment plans that were adopted prior to January 1, 1994.
- D. The Redevelopment Agency of the City of Sacramento (the "Agency"), has been designated as the official redevelopment agency in the City of Sacramento to carry out the functions and requirements of the CRL and to implement the Redevelopment Plan.
- E. The Redevelopment Plan was previously analyzed in accordance with the California Environmental Quality Act (CEQA) and an Environmental Impact Report was prepared and certified in 1984. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plan and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the proposed plan amendment does not require further environmental review, pursuant to CEQA Guidelines Sections 15162 and 15163.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:**

- Section 1. After due consideration of the evidence presented, the foregoing recitals are true and correct.
- Section 2. The purpose of this Ordinance is to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in the Redevelopment Plan for the Alkali Flat Redevelopment Project Area ("Redevelopment Plan") as authorized under 33333.6 of the California Health and Safety Code.
- Section 3. The provision entitled: "Time Limit to Incur Indebtedness for the Alkali Flat Redevelopment Project Area" is hereby eliminated from the Redevelopment Plan for the Alkali Flat Project Area (the "Amendment"). All other provisions of the Plan Adoption ordinance, as previously amended, shall remain in full force and effect.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days from the date of adoption and shall be affixed to the Redevelopment Plan.
- Section 5. If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.
- Section 6. The Agency is hereby authorized to compile the Redevelopment Plan, as amended by this Ordinance, into a single document and said document, when filed with the City Clerk and the Agency Secretary, shall constitute the official Redevelopment Plan for the Alkali Flat Redevelopment Project Area.

**ORDINANCE NO. 2010**

**Adopted by the Sacramento City Council**

on date of

**ORDINANCE ADOPTING THE FIFTH AMENDMENT TO THE  
REDEVELOPMENT PLAN FOR THE AUBURN BOULEVARD  
REDEVELOPMENT PROJECT AREA TO ELIMINATE THE TIME LIMIT ON  
INCURRING DEBT**

**BACKGROUND**

- A. Pursuant to Ordinance No. 92-048 adopted on September 29, 1992 and in accordance with the provisions of California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"), the City Council ("City Council") of the City of Sacramento ("City") has approved and adopted the Redevelopment Plan for the Auburn Boulevard Redevelopment Project Area ("Redevelopment Plan").
- B. The Redevelopment Plan for the Auburn Redevelopment Project Area has been amended from time to time, most recently on May 8, 2007, by Ordinance No. 2007-37.
- C. On January 1, 2002, Senate Bill 211 amended Section 33333.6 of the California Health and Safety Code, authorizing redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in redevelopment plans that were adopted prior to January 1, 1994.
- D. The Redevelopment Agency of the City of Sacramento (the "Agency"), has been designated as the official redevelopment agency in the City of Sacramento to carry out the functions and requirements of the CRL and to implement the Redevelopment Plan.
- E. The Redevelopment Plan was previously analyzed in accordance with the California Environmental Quality Act (CEQA) and an Environmental Impact Report was prepared and certified in 1992. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plan and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the proposed plan amendment does not require further

environmental review, pursuant to CEQA Guidelines Sections 15162 and 15163.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:**

- Section 1. After due consideration of the evidence presented, the foregoing recitals are true and correct.
- Section 2. The purpose of this Ordinance is to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in the Redevelopment Plan for the Auburn Boulevard Redevelopment Project Area ("Redevelopment Plan") as authorized under Section 33333.6 of the Health and Safety Code.
- Section 3. The provision entitled: "Time Limit to Incur Indebtedness for the Auburn Boulevard Redevelopment Project Area" is hereby eliminated from the Auburn Boulevard Project Area (the "Amendment"). All other provisions of the Plan Adoption ordinance, as previously amended, shall remain in full force and effect.
- Section 4.. This Ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption and shall be affixed to the Redevelopment Plan.
- Section 5. If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.
- Section 6. The Agency is hereby authorized to compile the Redevelopment Plan, as amended by this Ordinance, into a single document and said document, when filed with the City Clerk and the Agency Secretary, shall constitute the official Redevelopment Plan for the Auburn Boulevard Redevelopment Project Area.

**ORDINANCE NO. 2010**

**Adopted by the Sacramento City Council**

on date of

**ORDINANCE ADOPTING THE THIRD AMENDMENT TO THE  
REDEVELOPMENT PLAN FOR THE FRANKLIN BOULEVARD  
REDEVELOPMENT PROJECT AREA TO ELIMINATE THE TIME LIMIT ON  
INCURRING DEBT**

**BACKGROUND**

- A. Pursuant to Ordinance No. 93-071 adopted on December 14, 1992 and in accordance with the provisions of California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"), the City Council ("City Council") of the City of Sacramento ("City") has approved and adopted the Redevelopment Plan for the Franklin Boulevard Redevelopment Project Area ("Redevelopment Plan").
- B. The Redevelopment Plan has been amended from time, most recently on May 8, 2007, by Ordinance No. 2007-39.
- C. On January 1, 2002, Senate Bill 211 amended Section 33333.6 of the California Health and Safety Code, authorizing redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in redevelopment plans that were adopted prior to January 1, 1994.
- D. The Redevelopment Agency of the City of Sacramento ("Agency"), has been designated as the official redevelopment agency in the City of Sacramento to carry out the functions and requirements of the CRL and to implement the Redevelopment Plan.
- E. The Redevelopment Plan was previously analyzed in accordance with the California Environmental Quality Act (CEQA) and an Environmental Impact Report was prepared and certified in 1993. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plan and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the proposed plan amendment does not require further environmental review pursuant to CEQA Guidelines Sections 15162 and 15163.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:**

- Section 1. After due consideration of the evidence presented, the foregoing recitals are true and correct.
- Section 2. The purpose of this Ordinance is to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in the Redevelopment Plan for the Franklin Boulevard Redevelopment Project Area ("Redevelopment Plan") as authorized under Section 33333.6 of the Health and Safety Code.
- Section 3. The provision entitled: "Time Limit to Incur Indebtedness for the Franklin Boulevard Redevelopment Project Area" is hereby eliminated from the Redevelopment Plan for the Franklin Boulevard Project Area (the "Amendment"). All other provisions of the Plan Adoption ordinance, as previously amended, shall remain in full force and effect.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days from the date of its adoption and shall be affixed to the Redevelopment Plan.
- Section 5. If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.
- Section 6. The Agency is hereby authorized to compile the Redevelopment Plan, as amended by this Ordinance, into a single document and said document, when filed with the City Clerk and the Agency Secretary, shall constitute the official Redevelopment Plan for the Franklin Boulevard Redevelopment Project Area.

**ORDINANCE NO. 2010**

**Adopted by the Sacramento City Council**

on date of

**ORDINANCE ADOPTING THE FOURTH AMENDMENT TO THE  
REDEVELOPMENT PLAN FOR THE NORTH SACRAMENTO  
REDEVELOPMENT PROJECT AREA TO ELIMINATE THE TIME LIMIT ON  
INCURRING DEBT**

**BACKGROUND**

- A. Pursuant to Ordinance No. 92-028 adopted on June 30, 1992 and in accordance with the provisions of California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"), the City Council ("City Council") of the City of Sacramento ("City") has approved and adopted the Redevelopment Plan for the North Sacramento Redevelopment Project Area ("Redevelopment Plan").
- B. The Redevelopment Plan has been amended from time, most recently on May 8, 2007, by Ordinance No. 2007-36.
- C. On January 1, 2002, Senate Bill 211 amended Section 33333.6 of the California Health and Safety Code, authorizing redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in redevelopment plans that were adopted prior to January 1, 1994.
- D. The Redevelopment Agency of the City of Sacramento (the "Agency"), has been designated as the official redevelopment agency in the City of Sacramento to carry out the functions and requirements of the CRL and to implement the Redevelopment Plan.
- E. The Redevelopment Plan was previously analyzed in accordance with the California Environmental Quality Act (CEQA) and an Environmental Impact Report was prepared and certified in 1992. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plan and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the proposed plan amendment does not require further environmental review, pursuant to CEQA Guidelines Sections 15162 and 15163.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:**

- Section 1. After due consideration of the evidence presented, the foregoing recitals are true and correct.
- Section 2. The purpose of this Ordinance is to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in the Redevelopment Plan for the North Sacramento Redevelopment Project Area ("Redevelopment Plan") as authorized under Section 33333.6 of the Health and Safety Code.
- Section 3. The provision entitled: "Time Limit to Incur Indebtedness for the North Sacramento Redevelopment Project Area" is hereby will be eliminated from the Redevelopment Plan for the North Sacramento Project Area (the "Amendment"). All other provisions of the Plan Adoption ordinance, as previously amended, shall remain in full force and effect.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption and shall be affixed to the Redevelopment Plan.
- Section 5. If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.
- Section 6. The Agency is hereby authorized to compile the Redevelopment Plan, as amended by this Ordinance, into a single document and said document, when filed with the City Clerk and the Agency Secretary, shall constitute the official Redevelopment Plan for the North Sacramento Redevelopment Project Area.

**ORDINANCE NO. 2010**

**Adopted by the Sacramento City Council**

on date of

**ORDINANCE ADOPTING THE NINTH AMENDMENT TO THE  
REDEVELOPMENT PLAN FOR THE OAK PARK REDEVELOPMENT  
PROJECT AREA TO ELIMINATE THE TIME LIMIT ON INCURRING DEBT**

**BACKGROUND**

- A. Pursuant to Ordinance No. 3278 adopted on May 30, 1973 and in accordance with the provisions of California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("CRL"), the City Council ("City Council") of the City of Sacramento ("City") has approved and adopted the Redevelopment Plan for the Oak Park Redevelopment Project Area ("Redevelopment Plan").
- B. The Redevelopment Plan has been amended from time, most recently on May 8, 2007, by Ordinance No. 2007-38.
- C. On January 1, 2002, Senate Bill 211 amended Section 33333.6 of the California Health and Safety Code, authorizing redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in redevelopment plans that were adopted prior to January 1, 1994.
- D. The Redevelopment Agency of the City of Sacramento (the "Agency"), has been designated as the official redevelopment agency in the City of Sacramento to carry out the functions and requirements of the CRL and to implement the Redevelopment Plan.
- E. The Redevelopment Plan was previously analyzed in accordance with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was prepared and certified in 1998. The actions pertaining to the elimination of time limits to incur debt are in furtherance of the previously approved plan and do not constitute substantive changes or new information of substantial importance to the approved plan. Therefore, the recommended actions do not require further environmental review pursuant to CEQA Guidelines Sections 15162 and 15163.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:**

- Section 1. After due consideration of the evidence presented, the foregoing recitals are true and correct.
- Section 2. The purpose of this Ordinance is to eliminate the time limit on the establishment of loans, advances, and indebtedness contained in the Redevelopment Plan for Oak Park Redevelopment Project Area ("Redevelopment Plan") as authorized under Section 33333.6 of the Health and Safety.
- Section 3. The provision entitled: "Time Limit to Incur Indebtedness for the Oak Park Redevelopment Project Area" is hereby eliminated from the from Redevelopment Plan for the Oak Park Redevelopment Project Area (the "Amendment"). All other provisions of the Plan Adoption ordinance, as previously amended, shall remain in full force and effect.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption and shall be affixed to the Redevelopment Plan.
- Section 5. If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.
- Section 6. The Agency is hereby authorized to compile the Redevelopment Plan, as amended by this Ordinance, into a single document and said document, when filed with the City Clerk and the Agency Secretary, shall constitute the official Redevelopment Plan for the Oak Park Redevelopment Project Area.