

**ORDINANCE NUMBER ~~O21-015~~O22-007**

AN ORDINANCE PROVIDING FOR A REVISED AND AMENDED SUNSET DATE AT SECTION 18 OF ORDINANCE ~~O20-003~~ O21-015, "AFFIRMATIVE ACTION ORDINANCE, REVISED APPENDIX D OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO" FROM ~~DECEMBER 31, 2021 JUNE 30, 2022~~ TO ~~JUNE 30, 2022~~  
~~DECEMBER 31, 2022~~, WHICH WAS PREVIOUSLY ADOPTED ON ~~MAY 21, 2020~~ DECEMBER 2, 2021

Adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago on the 2nd day of ~~December~~ June, 2021 2022

**ORDINANCE NUMBER ~~O21-015~~O22-007**

AN ORDINANCE PROVIDING FOR A REVISED AND AMENDED SUNSET DATE AT SECTION 18 OF ORDINANCE ~~O20-003~~ O21-015, REVISIONS TO THE AFFIRMATIVE ACTION ORDINANCE, REVISED APPENDIX D OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO FROM ~~DECEMBER 31, 2021~~ JUNE 30, 2022 TO JUNE 30, 2022 ~~DECEMBER 31, 2022~~, WHICH WAS PREVIOUSLY ADOPTED ON ~~MAY 21, 2020~~ DECEMBER 2, 2021

**PREAMBLE**

Whereas, the Board of Commissioners previously undertook a Disparity Study of Appendix D of its Affirmative Action Program and adopted Ordinance ~~O20-003~~ O21-015 on ~~May 21, 2020~~ December 2, 2021;

Whereas, Section 18 of the Revised Appendix D Ordinance contains a sunset provision that states: This Appendix D shall ~~be reviewed no later than December 31, 2021 and shall expire on December 31, 2021~~ June 30, 2022, unless the District finds its remedial purposes have not been fully achieved and that there is a compelling interest in continuing to implement narrowly tailored remedies to redress discrimination against MBEs and WBEs so that the District will not function as a passive participant in a discriminatory marketplace in the Metropolitan Chicago construction industry;

Whereas, the District ~~has~~ embarked upon an updated Disparity Study to determine whether a need for an Affirmative Action Program continues to exist. Prior to determining whether there is a compelling interest in continuing the Affirmative Action Program, the Board of Commissioners hosts a Study Session to facilitate discussion and allow input;

~~Whereas, the Board approved a request to conduct a Disparity Study at its Board Meeting on September 17, 2020.~~

Whereas, to ~~facilitate completion of the aforementioned review~~ allow time to host the Study Session, the sunset provision of Ordinance ~~O20-003~~ O21-015 at Section 18, for good cause shown must now be revised and extended from ~~December 31, 2021~~ June 30, 2022 to June 30, 2022 ~~December 31, 2022~~.

~~Whereas, due to the Covid-19 pandemic, there has been a delay in the collection of data and a reduction in the access to required information. Therefore, completing the Disparity Study and the in-depth analysis thereof by the current sunset date has not been feasible.~~

NOW THEREFORE BE IT HEREBY ORDAINED AS FOLLOWS:

Section 18 of the Affirmative Action Ordinance, Revised Appendix D, Ordinance ~~O20-003~~ O21-015 is hereby deleted therefrom in its entirety, and substituted therefore is the following:

This Appendix D shall expire on ~~June 30, 2022~~ December 31, 2022, unless the District finds its remedial purposes have not been fully achieved and that there is a compelling interest in continuing to implement narrowly tailored remedies to redress discrimination against MBEs and WBEs so that the District will not function as a passive participant in a discriminatory marketplace in the Metropolitan Chicago construction industry.

All other provisions of the Affirmative Action Ordinance, Revised Appendix D remain the same.

This Ordinance shall be in full force and effect forthwith upon this adoption.

Dated: this 2nd day of ~~December~~ June, 2021 2022

Approved as to Form and Legality:

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Head Attorney

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General Counsel

Attest:

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

Approved:

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Kari K. Steele, President  
Board of Commissioners  
Metropolitan Water Reclamation District of  
Greater Chicago