



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: City Manager's Office

CM: Sara Hensley

DATE: August 2, 2022

SUBJECT

Receive a report, hold a discussion, and give staff direction on pending City Council requests for:

- (1) A Work Session to consider options for proof-of-concept electric vehicle transit downtown or electric bus circulator route between Brock Transit Center and Presbyterian Hospital.
- (2) An Informal Staff Report on any current task force that is addressing the crisis of affordable childcare and what role the City of Denton is involved in said groups.
- (3) A Work Session to discuss the prevention of inquiries of an applicant's criminal history prior to making conditional offers of employment unless a law requires an earlier inquiry.

[Estimated Presentation/Discussion Time: 30 minutes]

BACKGROUND

During the annual City Council retreat on Saturday, August 21, 2021, the City Council agreed to amend their current ordinance and the process by which they ensure there is a consensus of the City Council regarding the use of staff time when responding to requests from elected officials that anticipate taking more than two hours to complete or if there is a City Council policy decision to be made. The process developed during the retreat was further discussed and formally adopted at the September 28, 2021 City Council meeting (**Exhibit 2**).

Staff will review one outstanding request for information per elected official during each work session. The weekly work session process will include staff introducing the requested topic followed by the requesting elected official having up to two minutes to describe and justify their request. Remaining elected officials will then have up to one minute to provide feedback and indicate their support for the use of staff time to respond to the request. Staff will respond to all requests where a consensus of at least four elected officials is established. To the extent possible, responses will be provided in the requested format including Informal Staff Reports, Legal Status Reports, City Council work session topics, or ordinances and resolutions to be considered on future City Council agendas. The Agenda Committee will assist in scheduling items receiving consensus based upon priority offered by Council Members, work session availability, and readiness of the item depending upon the total number of staff hours needed to develop, and the departments involved.

As guidelines for Council Members to note and offer their priority while supporting an item, the following general categorization could be used to indicate any Council Member's support in order to assist staff and the Agenda Committee. The following takes into consideration the perceived urgency, impact, and/or importance of the item. It is a general framework only to help offer some prioritization, especially in consideration of other scheduled Council priorities, major goals and projects, and scheduled work.

- **High** – Time sensitivity of the item is significant; the item is critical to the community or organization; and/or the item is of such importance that it should take precedence over other scheduled priorities, projects, or items.
- **Moderate** – The item is somewhat time-sensitive; the item has a valuable impact to the community or organization; and/or the item is important but should be integrated into work plans accordingly.
- **Low** – The item is not time-sensitive; the item has an impact, but it is limited; and/or the item should be scheduled into work plans where possible but should not affect or delay other scheduled work.

The following items will be discussed during this work session:

(1) A Work Session to consider options for proof-of-concept electric vehicle transit downtown or electric bus circulator route between Brock Transit Center and Presbyterian Hospital.

- a. **Requestor:** Council Member Davis
- b. **Council Member Request:** “I am requesting a work session to consider options for proof-of-concept electric vehicle transit downtown, including option like the CARTS electric cabs in downtown Bastrop, TX or an electric bus circulator route between Presbyterian Hospital and the Brock Transit Center.”
- c. **Staff Information:** If the Council wishes to move forward with this request, staff will develop a Work Session for presentation.
- d. **Date requested:** July 7, 2022
- e. **Format for response:** Work Session

(2) An Informal Staff Report on any current task force that is addressing the crisis of affordable childcare and what role the City of Denton is involved in said groups.

- a. **Requestor:** Council Member Watts
- b. **Council Member Request:** “I would like to give a two-minute pitch for staff to provide an informal staff report on any current task force that is addressing the crisis of affordable childcare and what role the City of Denton is involved in said groups. During the pandemic, 50% of childcare facilities did not reopen as the pandemic lessened and restrictions were lifted.”
- c. **Staff Information:** The Denton County Workforce Success Leadership Team (DCWSLT), supported by United Way of Denton County (UWDC) staff, has an existing workgroup focused on childcare. The workgroup has been exploring barriers to access and opportunities to increase access to childcare both through funding for new centers and increasing funding for subsidized childcare at existing centers. If the Council wishes to move forward with this request, staff will provide an informal staff report on the DCWSLT work group and what role the city of Denton is involved in this group.
- d. **Date requested:** July 21, 2022
- e. **Format for response:** Informal Staff Report

(3) A Work Session to discuss the prevention of inquiries of an applicant’s criminal history prior to making conditional offers of employment unless a law requires an earlier inquiry.

- a. **Requestor:** Council Member McGee
- b. **Council Member Request:** “I would like to propose a work session to discuss the prevention of inquiries about an applicant’s criminal history information PRIOR to making a conditional offer of employment unless a law requires an earlier inquiry. This would apply to employers citywide and is aimed at “Bridging the Gap” between employers and potential employees. The federal

government already does this and it applies to all federal agencies and their contractors. This is something that is encouraged by the Texas Workforce Commission and an increasing number of the top companies in the country. It's a good and fair best practice that I believe can and should be adopted in the city of Denton."

- c. **Staff Information:** A citywide ordinance banning inquiries into an applicant's criminal history until the end of the hiring process would follow a similar implementation process, and be bound by similar challenges, as the comprehensive non-discrimination ordinance. The City would need to consider how it is applied, what exclusions are necessary, the resources and expenses required to educate all of our businesses appropriately, handle complaints received and then investigate them, and determine a penalty provision if businesses are found to be in violation of the ordinance. To understand the sentiments of the business community, Council may consider holding a public hearing or otherwise providing sufficient time for the community to give its feedback prior to the consideration of an ordinance.

It is an employment best practice to not ask for or check an individual's criminal history until later in the hiring process (e.g. a conditional job offer) so it can be considered on a very individual basis (consider the nature of the crime, the time passed, the nature of the job). Therefore, it is likely many businesses are already using this practice, especially larger businesses with resources and guidance to do so. Information on this topic from the Equal Employment Opportunity Commission (EEOC) is available [online](#). If the Council wishes to move forward with this request, staff will develop a Work Session for presentation.

- d. **Date requested:** July 28, 2022
- e. **Format for response:** Work Session

EXHIBITS

Exhibit 1 – Agenda Information Sheet
Exhibit 2 – Ordinance No. 21-1837
Exhibit 3 – Presentation

Respectfully Submitted:
Jennifer Rainey
Assistant to the City Manager