

Internal



Office of the City Manager

INFORMATION CALENDAR
February 24, 2026

To: Honorable Mayor and Members of the City Council
From: Paul Buddenhagen, City Manager
Submitted by: Scott Gilman, Director, Health, Housing, and Community Services
Subject: Restaurant Inspection Audit Status Report

INTRODUCTION

On July 10, 2024, the City Auditor submitted an audit report¹ on the status of Restaurant Inspections to the City Council, including recommendations to improve the overall delivery of services for the food safety inspection program. This is the third status report updating the City Council on the implementation of those recommendations.

CURRENT SITUATION AND ITS EFFECTS

The audit included nine recommendations. As of the writing of this report:

- Two recommendations are fully implemented.
- Five recommendations are partly implemented.
- One recommendation has started.
- One recommendation has not yet started.

Recommendations currently tracked as "partly implemented" need longer-term tracking and the implementation of technological solutions, such as the completion of the upgrade to the Accela database.

The Environmental Health Division (EHD) is currently staffed with four food inspectors and a supervisor.

EHD has developed a detailed policy for maintaining the inventory list of food facilities with data quality at the forefront. This includes confirming risk designations for all facilities and validation that the inventory is accurate.

City staff are currently in the process of working with a third-party vendor to convert to a new database on the Accela Civic Platform, as the current database is sunsetting. This

¹ [Berkeley Restaurant Inspections: Chronically Understaffed Program Did Not Meet Targets](#)

conversion process involves reviewing and automation of all applications and permits for all programs, analysis of the workflows, and development of a public portal.

Additionally, EHD has recently completed a division-wide fee study to address revenue concerns as well as evaluate current staffing needs to determine adequacy for the food safety inspection program and other departmental responsibilities, including vector control, noise complaints, stormwater inspections, swimming pools and spas, retail tobacco, and body art. New fee schedule recommendations and a placarding program proposal will be presented to Council as part of the budget process.

For a detailed table of audit report recommendations, corrective action plans, and implementation progress, see Attachment 1. The next status report to Council is anticipated in Fall 2026.

BACKGROUND

Local health jurisdictions are responsible for determining the frequency of inspections based on the needs of the community and available resources. In 2015, EHD transitioned to a risk-based food inspection process, following the guidelines established by the Federal Food and Drug Administration's (FDA) Voluntary National Retail Food Regulatory Program Standards. This program categorizes permitted food facilities (restaurants, grocery markets, schools, bars, etc.) based on the complexity of food handling and populations served, assigning them to one of four "Risk Categories" (RC-1 to RC-4). Each RC designation dictates the minimum number of annual inspections a facility receives. During the early stages of the COVID-19 pandemic, EHD staff were reassigned to assist with the pandemic. In addition, EHD faced staffing shortages due to promotions to other departments, prolonged staff illnesses, and hiring freezes in FY2021 and FY2022. Once the hiring freeze was lifted, EHD experienced additional budgetary challenges and a limited pool of qualified applicants for a vacant supervisor and inspector positions, a statewide issue for jurisdictions providing environmental health services. Unfortunately, during this time the City's food inspection policies were not adjusted resulting in audit findings of delinquent inspections.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects associated with the subject of this report.

POSSIBLE FUTURE ACTION

On September 24, 2024, Council made a budget referral to the November 2024 budget process of \$100,000 for the City Manager to engage an independent consultant to conduct an analysis of the current structure of the Environmental Health Food Inspection Program and provide recommendations for alternative models, staffing levels, and increased use of technology to improve customer service. To date, this referral has not been included in final budget proposals.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

As noted above, the cost for conducting this analysis of the EHD programs is estimated to be \$100,000, which would be funded by the City's General Fund.

CONTACT PERSON

Scott Gilman, Director, Health, Housing, and Community Services (510) 981-5100

Attachments:

1: Food Inspections Recommendations Status Update Table – Jan 2026

Audit Title: Berkeley Restaurant Inspections: Chronically Understaffed Program Did Not Meet Targets

Issue Date: July 10, 2024

Finding	Recommendation	Department	Last Period: Status	Current Status Update
The Division was significantly behind on inspections in 2023, increasing health risk.	1.1 Develop a plan to improve coverage of routine inspections throughout the City, which may require the Division to prioritize health and safety duties over other responsibilities. As part of this process: (a) Evaluate inspection targets to determine if current inspection frequencies are achievable or establish different temporary targets to adapt to periods of understaffing. (b) Establish a baseline of inspection coverage for all permitted food facilities in the City and prioritize inspection of facilities with high risk and very high risk designations that were not inspected in 2023.	HHCS	Implemented	Implemented. The Division developed new policies that include revised inspection targets for periods of short staffing and a baseline of at least one inspection per year. According to the Division, all high and very high risk facilities that were not inspected in 2023 have now been inspected.
The Division was significantly behind on inspections in 2023, increasing health risk.	1.2 Develop a plan to ensure timely response to complaints involving alleged foodborne illness, which may require the Division to prioritize health and safety duties over other responsibilities.	HHCS	Partly Implemented	Implemented. The Division has strengthened its internal policy for addressing complaints in a timely fashion. Policy improvements include documented responsibilities for staff to ensure complaints are received by admin staff and/or other designated staff and prioritized by inspectors within 24 hours or one business day.
The Division did not track spending and left critical positions vacant.	2.1 Work with the Budget Office to track how the food inspection program revenues are used.	HHCS	Partly Implemented	Partly implemented. The Division is now using program-specific codes to track revenues and expenditures related to food facility inspections. A comprehensive report comparing revenues and expenditures for a full fiscal year was not yet available. Our team will reassess the status of this recommendation once the FY 2026 report is available.
The Division did not track spending and left critical positions vacant.	2.2 Take the following steps to fill positions and assess program staffing: (a) Open recruitment for the supervisor position. (b) If the recruitments for the supervisor and food inspector positions do not yield qualified candidates, work with the Human Resources Department (HR) to develop targeted recruitments for the inspector and supervisor roles.	HHCS	Partly Implemented	Partly implemented. The Division worked with a consultant to complete a fee study, which council will consider soon. According to the Division, and subject to Council approval, fee changes based on the study's results study could potentially help support increased staffing. In a future update, the Division will need to show that they have

Finding	Recommendation	Department	Last Period: Status	Current Status Update
	This may include conducting an analysis of compensation or other factors that affect recruitment. (c) Develop a trainee program to build a pipeline into the Division's inspector positions. (d) Work with HR as needed to identify staffing resources needed to meet inspection targets.			assessed staffing resources to meet inspection targets. We will also follow up on the Division's plans to develop a training program once staffing stabilizes.
The Division did not track spending and left critical positions vacant.	2.3 Make the following updates to the inspection data: (a) Add a risk designation to all food facilities in the Envision database. (b) Correct the date of last inspection in the Envision software that inspectors use during inspections or develop a workaround to ensure inspectors have an accurate list of facilities prioritized by last inspection date. (c) Develop a process to regularly verify that the Envision database includes all food facilities that should be permitted and inspected.	HHCS	Partly Implemented	Partly implemented. The Division has updated its policies to include stronger requirements for data management to ensure that risk designations are documented for all facilities and that the inventory of food facilities is complete and up to date. To mark this recommendation as implemented, the Division would need to confirm that the new database can produce an accurate list of facilities prioritized by the last inspection date.
The Division did not track spending and left critical positions vacant.	2.4 Work with the Department of Information Technology (IT) to develop list of database functionalities and/or data points needed to help meet the Division's targets and produce reports. If the current database cannot provide this functionality, document the limitations of the current database and include these requirements in the future request for proposals for a new database.	HHCS	Partly Implemented	Partly implemented. The Division estimates that the new database will be live in June 2026. We will reassess the status of this recommendation once the new database is in place.
The Division did not track spending and left critical positions vacant.	2.5 Identify performance metrics and report them to the public at least annually.	HHCS	Partly Implemented	Partly implemented. After developing and identifying preliminary performance metrics for the Food Safety and Inspection program, the Division has paused this project while staff focus on migrating to the new database.
Public information about food safety was limited.	3.1 Work with Department of Information Technology (IT) to update the online system for sharing information on food inspections. As part of this process: (a) Develop internal guidance informed by state code that details what information the Division will share with the public online and defines responsibility for managing the data. (b) Make inspection history available online for all permitted food facilities in Berkeley. This could include	HHCS	Not Started	Not started. After removing information about food inspections from the City's Open Data Portal, the Division updated its webpage to include instructions for requesting individual inspection reports from the Environmental Health Division. However, the food inspection data is still not posted on the Open Data Portal. According to the Division, the estimated timeline for the new

Finding	Recommendation		Department	Last Period: Status	Current Status Update
		sharing a copy of the most recent inspection report.			public portal featuring inspection reports is summer 2026.
Public information about food safety was limited.	3.2	Develop a plan to implement placarding in Berkeley once staffing levels are stable. As part of this process: (a) Assess resources needed to implement placarding. (b) Consider adding elements such as community engagement for designing and implementing evidence-based, equitable placarding.	HHCS	Not Started	Started. In their upcoming report to City Council on the recently completed fee study, the Division developed a budget and staffing proposal for implementing and sustaining a placarding program based on information from the study. Additionally, the Division reported that program supervisor has completed training in inspection standardization to support an evidence-based placarding program. The Division plans to implement standards across the Division in 2026.