



Office of the City Manager

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2

Meeting Date: July, 30, 2024

Item Number: 18

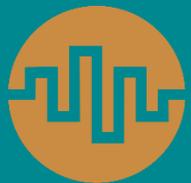
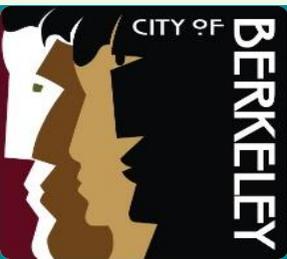
Item Description: Berkeley Restaurant Inspections: Chronically Understaffed Program Did Not Meet Targets

Submitted by: Jenny Wong, City Auditor

This supplement is to add the presentation slides for this item.

Berkeley Restaurant Inspections: Chronically Understaffed Program Did Not Meet Targets

Berkeley City Council Meeting
July 30, 2024



BERKELEY CITY AUDITOR



Berkeley Restaurant Inspections: Chronically Understaffed Program Did Not Meet Targets

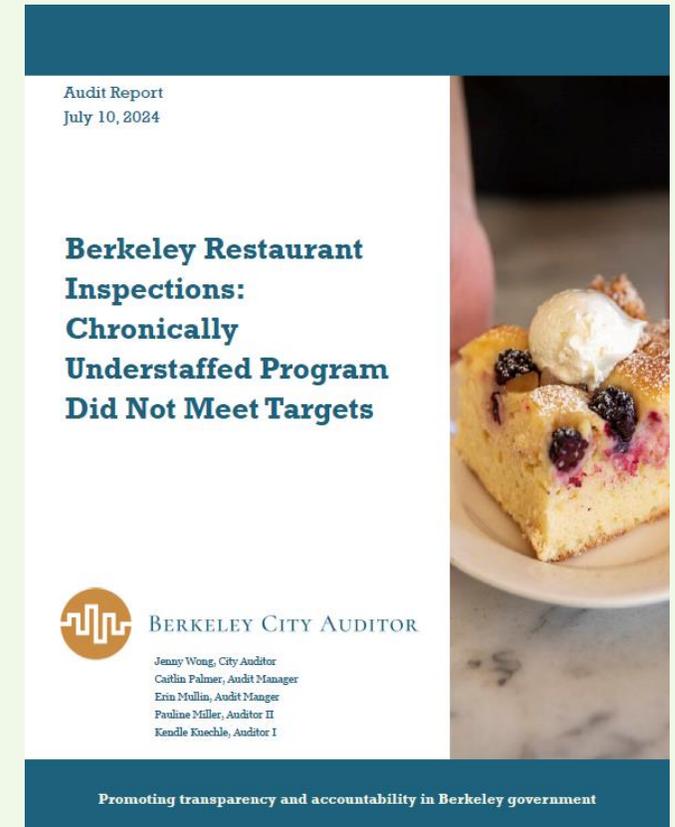
Overview

- Why we did this audit
- Objectives
- Findings
- Recommendations
- Management response



Why we did this audit:

- The CDC estimates that 48 million people get sick, 128,000 are hospitalized, and 3,000 die from foodborne diseases annually in the United States.
- Food inspections play an important role in ensuring food safety and preventing foodborne illness for Berkeley residents and visitors.



Objectives, Scope, and Methodology:

Objectives:

1. To what extent is the Food Safety and Inspection Program meeting its inspection targets?
2. To what extent is the Food Safety and Inspection Program adequately funded and staffed?
3. How well does the Food Safety and Inspection Program keep the public informed about food safety?

Audit Scope:

- Staffing: FY 2019 – FY 2023
- Inspections: CY 2023

Methodology:

- Analysis of inspection data
- Documentation review
- Stakeholder interviews



What we found:

Finding 1: The Division was significantly behind on inspections in 2023, increasing health risk.

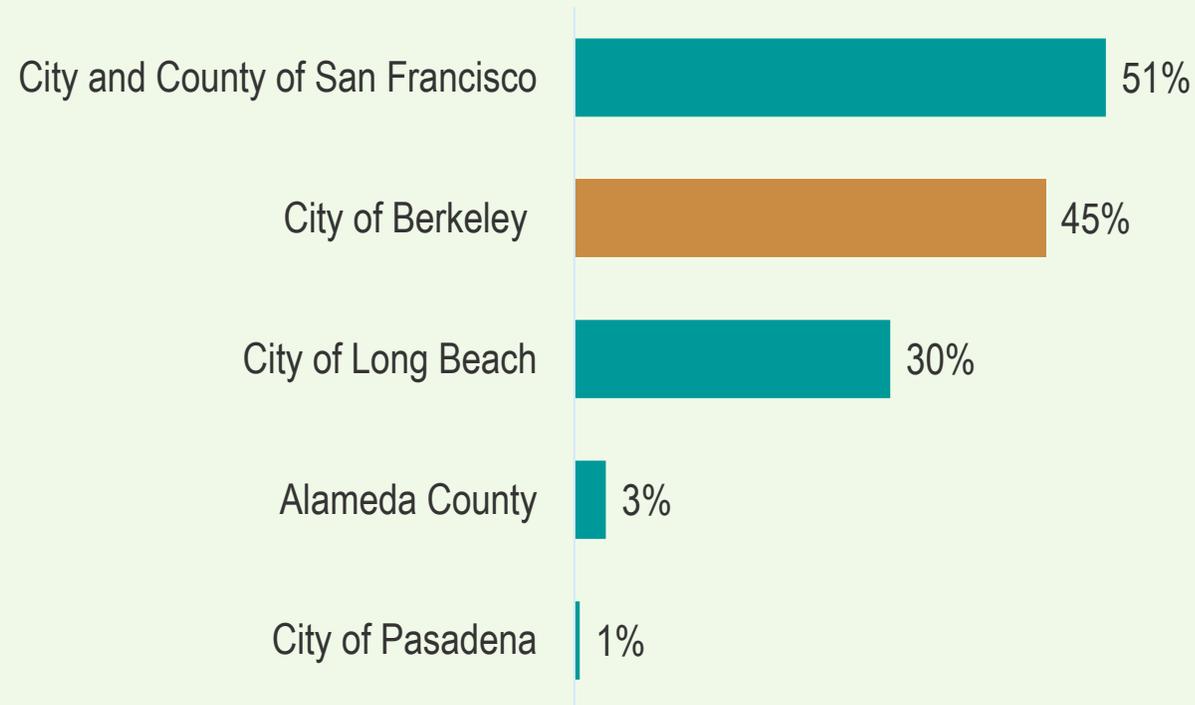
Finding 2: The Division did not track spending and left critical positions vacant.

Finding 3: Public information about food safety was limited.



The Division did not meet a baseline of one inspection per year.

Berkeley had the second highest percentage of food facilities that were not inspected in 2023.

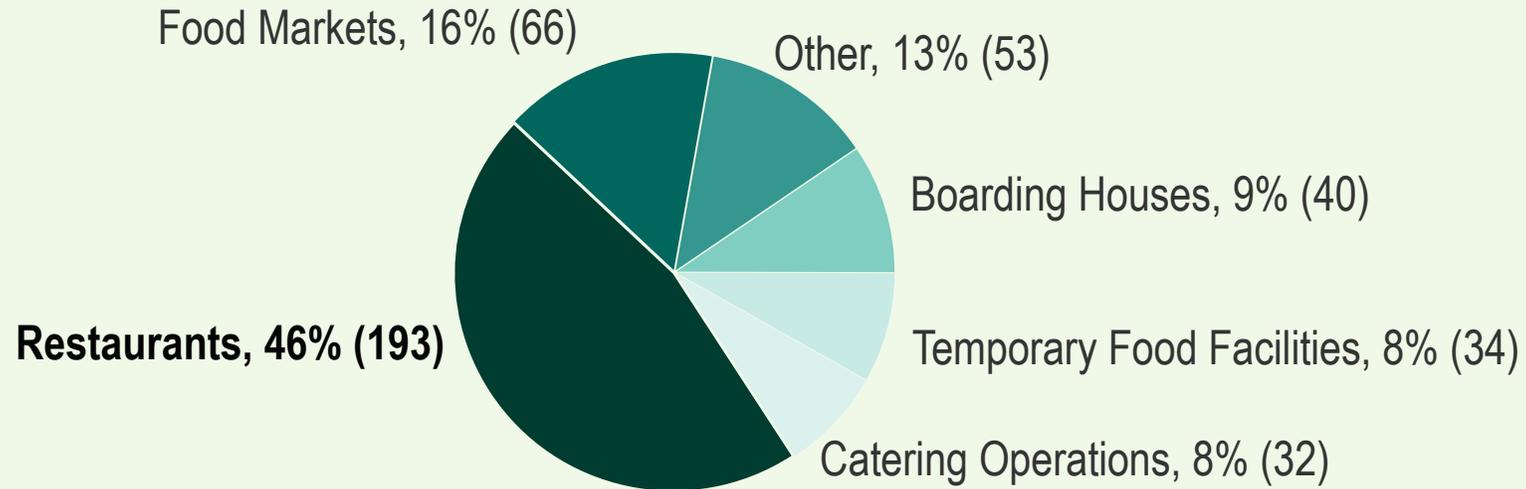


Source: Auditor analysis of Berkeley's Environmental Health Division database, responses to public information requests. See page 8 of the report for more details.



The Division did not meet a baseline of one inspection per year.

Restaurants made up the largest group of facilities not inspected in 2023.



Source: Auditor analysis of Berkeley's Environmental Health Division database. See page 7 of the report for more details.

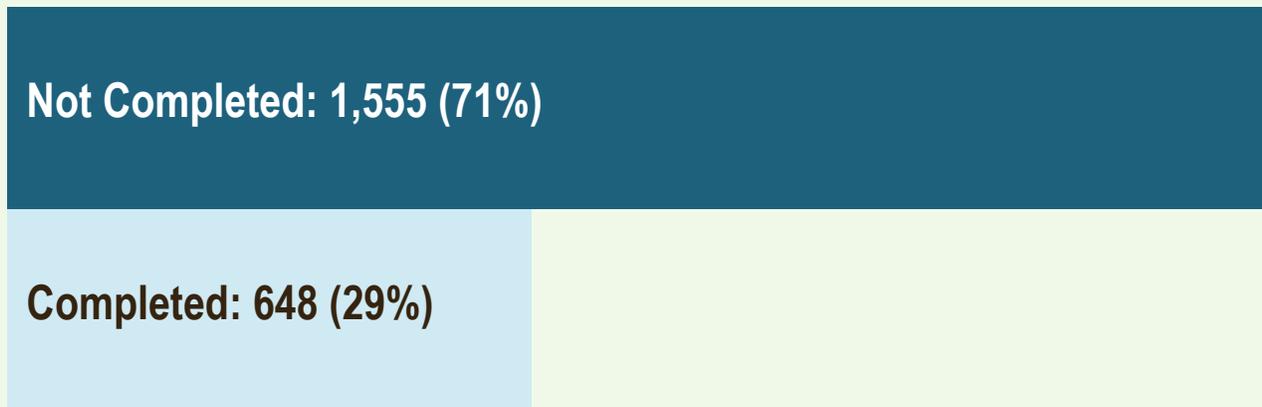


The Division did not meet its inspection targets for food facility inspections in 2023.

Based on Berkeley's policy to conduct inspections 1-3 times per year according to risk level, the Division should have conducted a total of 2,203 inspections in 2023.

The Division completed only 29 percent of its target inspections in 2023.

Inspections

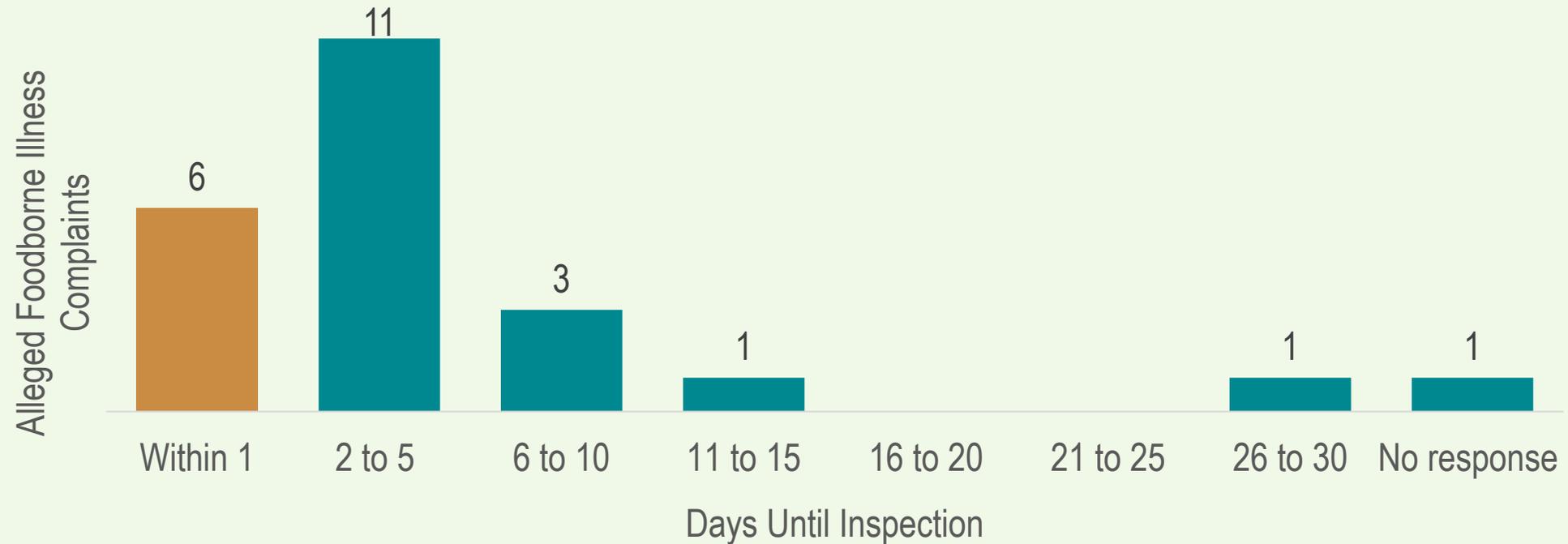


Source: Auditor analysis of Berkeley's Environmental Health Division database. See page 5 of the report for more details.



The Division did not meet its targets for responding to complaints of alleged foodborne illness.

Only 6 out of 23 alleged foodborne illness complaints resulted in an inspection within one business day.



Source: Auditor analysis of Berkeley's Environmental Health Division database. See page 9 of the report for more details.



What we found:

Finding 1: The Division was significantly behind on inspections in 2023, increasing health risk.

Finding 2: The Division did not track spending and left critical positions vacant.

Finding 3: Public information about food safety was limited.



The Division did not track food inspection program revenue and spending.



- The Division **could not provide** food inspection program revenues and expenditures for FY 2019 – FY 2023.
- This **lack of tracking** differs from other jurisdictions, where food inspection program revenues covered most program costs.



Short staffing prevented inspectors from meeting inspection targets and the City did not consistently recruit to fill critical vacancies.

Recruitment timeline for food inspector and supervisor positions.

Between FY 2019 and FY 2023, vacant positions in the Division increased from 1 to 5 out of about 13 total budgeted positions.



Source: Human Resources and Payroll Audit.

*The City resumed recruitment for the food inspector position in July 2023.



What we found:

Finding 1: The Division was significantly behind on inspections in 2023, increasing health risk.

Finding 2: The Division did not track spending and left critical positions vacant.

Finding 3: Public information about food safety was limited.



Inspection data was incomplete and not fully accessible to the public.

Berkeley's Open Data Portal:

- **Did not include all facilities** inspected in 2023,
- Did not clearly **match inspection reports**, and
- Was **missing state requirements** for online information.



The Division is considering disconnecting the food inspection feature, which would result in less complete and accessible public information on food inspections.



Inspection data was incomplete and not fully accessible to the public.



Public information on food inspections was limited compared to other jurisdictions.

Alameda County's online search tool

A screenshot of the Alameda County Food Facility Inspection Results website. The page has a light green background. At the top left, there is a home icon and the text "Food Facility Inspection Results" with a dropdown arrow. Below this is the county's contact information: "Alameda County, Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda CA 94502, Phone: 510-567-6700". The main content area features three large green-bordered boxes. The first box contains a food truck icon and the text "Click/Tap Here! for Mobile Food Facility Inspection Results". The second box contains a restaurant icon and the text "Click/Tap Here! for Fixed Food Facility Inspection Results". The third box contains an envelope icon and the text "Got comment for us? Tap here!". Below these boxes is a search bar with the text "To search for an inspection, enter the full or partial name of the facility, address, street or city in the box below and click/tap anywhere outside the field." and the word "bakery" entered. Below the search bar are two search results for "TAKE OUT RESTAURANT - 3 OR MORE FOODHANDLERS". Each result includes a "PASS" badge, a QR code, and fields for Address, Phone, Inspection type (Routine), Inspection date, Permit expires, and Violation count(s). The first result shows 4 violations, and the second shows 6 violations. Both results have a "click for details" link.

Source: Alameda County food inspection webpage. See page 17 of the report for more details.



Berkeley did not use placards to inform the public about food inspections.

Examples of placard models used by other jurisdictions.

Color-Coded: used by the City and County of San Francisco



Pass/ Conditional Pass/Closed: used by the City of Pasadena



Letter Grade: used by Los Angeles County



Emoji: used by King County, Washington



Source: Jurisdictions' food inspection program webpages. See page 19 of the report.



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Recommendations

We recommend that the Environmental Health Division:

- Develop a plan to improve inspection coverage and quickly respond to alleged foodborne illness complaints.
- Track program spending, take steps to address staffing needs, and improve data management and reporting on program performance.
- Make online food inspection information more accessible. Also, complete and develop a plan for placards in Berkeley after staffing stabilizes.



Management Response

City management and the Environmental Health Division **agreed or partially agreed** with our audit findings, conclusions, and recommendations, and provided an action plan to address our recommendations.

We provided a response to the Division's response in our report.



We would like to thank the Environmental Health Division for their cooperation with this audit.



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