



Office of the City Manager

November 14, 2023

To: Honorable Mayor and Members of the City Council
From: *DWR* Dee Williams-Ridley, City Manager
Subject: Environmental Health and Pandemic Recovery

The purpose of this memo is to provide information on the status of the Environmental Health Division of Health, Housing, and Community Services (HHCS/EH) as the City recovers from the impacts of the COVID-19 pandemic.

About the Environmental Health Division

The Environmental Health Division is one of four city-led independent environmental health jurisdictions in the State of California (the others are Pasadena, Long Beach, and City of Vernon). All others fall under County health jurisdictions. HHCS/EH administers a wide variety of comprehensive regulatory programs, including retail food safety, vector control, public swimming pool and spa safety, tobacco and cannabis retail, body art (tattoos), abandoned vehicles, noise, and Healthy Checkout, reflecting both State of California requirements and local priorities.

In addition to inspecting and issuing permits in several of these programs, HHCS/EH responds to community complaints and provides compliance education and outreach to regulated businesses and the general public. Because HHCS/EH has more programs than inspectors, most inspectors cover more than one program and prioritize their time based on assessed level of threat to community health.

Like other health professions, the environmental health field is facing greater demand for candidates than qualified candidates exist. As of 10/31/23, HHCS/EH has 13 authorized positions. Four are vacant, including one supervisor, two Registered Environmental Health Specialists (REHS), and an Office Specialist (who has now been hired and will begin work in December), and another staff person is on extended medical leave. With these five staff members out, the Division is operating with 36% less capacity. A recent search to hire the two REHS's – positions that require very specific credentials – was unsuccessful and the division is preparing for another full round of recruitment. Based on regional and state conversations, the City is aware that

many other California environmental health jurisdictions are experiencing struggles with hiring that are similar to Berkeley's.

In order to manage their large workload and high vacancy rate, HHCS/EH is currently prioritizing activities that pose the greatest risk to health in the environment while continuing to conduct routine inspections at facilities with the longest intervals between inspections. This means that they prioritize response to viable threats in the environment discovered by circumstance or complaints, over prevention activities. Responding to viable threats is critical, for example, in responding to complaints about food borne illness. Investigations help identify potential problems in food production, distribution and preparation. This process can help to control an outbreak or prevent future ones. As staffing recovers, other prevention activities can be brought up to normal levels.

Impacts of COVID-19

The pandemic and the public health response were very disruptive to environmental health operations in Berkeley, particularly its food inspection program. Initially many restaurants closed and inspections were paused. When restaurants re-opened, many pivoting to take out service only, HHCS/EH needed to weigh the risk of infection for restaurant and City staff against a possible risk of food borne illness. City staff explored and were trained in a process of remote inspections using cell phone cameras, but ultimately concluded that these would not be effective due to a variety of logistical challenges, including the technological capabilities, the availability of cell phones and/or tablets with camera features, and other varying degrees of technological capabilities both from the operator's end as well as staff.

A number of HHCS/EH staff were deployed in the City's Emergency Operations Center to address the City's top priority at the time, COVID-19, serving as contact tracers, and responding to COVID-related complaints, and therefore were unavailable for operations. With restaurants closing and pandemic concerns weighing heavily on the FY 21 and FY 22 adopted budgets, inspector vacancies were deferred.

During this same period of time, HHCS/EH experienced tremendous increases in demands to address other environmental health concerns; namely noise violations and vector control:

- Due to the unprecedented boom in construction projects throughout the City, HHCS/EH inspectors responded to significantly more noise complaints and follow-ups over previous years. Many Berkeley residents who previously worked in office settings began working from home, and were not accustomed to hearing the noises from daily activities in their neighborhoods during the work day (for example home-improvement projects, landscaping/gas-powered leaf blowers, and larger construction projects taking place throughout the City).

- Rodents, cut off from their regular food sources outside restaurants and grocery stores, moved into new areas, including residential neighborhoods, looking for food. As a result, the number of vector-related complaints received and responded to also drastically increased. Although merchants, homeowners, and property owners serve as the front line for preventing rodent concerns, EH inspectors address issues as they expand and become larger, affecting neighborhoods encampments.
- From 2017 through 2019, inspectors spent an average total of 296 hours a year responding to Norway rat complaints specifically. This number jumped to 375 in 2020 and to 676 in 2021 (more than doubling the pre-pandemic average). This includes time spent treating rat burrows with CO2 gas in heavily-infested areas in the community, conducting property assessments and written reports in neighborhoods experiencing rat infestations, and providing information and advice to affected tenants, homeowners, property owners, and businesses, in response to complaints and requests for service. In addition, HHCS/EH's inspectors greatly expanded their work with other City agencies to address serious vector issues at various homeless encampments.

Food Facilities Regulation

These increased vector control and noise complaint needs forced HHCS/EH to divert its limited staffing resources toward supporting these programs, which continue to require additional staffing resources today.

In food facilities, HHCS shifted priorities to respond to complaints, a decision that allows the division to more quickly stop outbreaks of food borne illnesses – which have not occurred in Berkeley during or subsequent to the COVID-19 pandemic. Although HHCS/EH has received significantly fewer complaints of foodborne illness compared to prior years, preventive food facilities inspections have lagged. In-person inspections continued, albeit at a much lower frequency than “normal” years. This trend continued throughout 2020 and 2021. In 2022, as the City transitioned into more ‘normal operations’, staff began to regroup, and refocus their attention back to their regular routine work. In Fall 2022, after ensuring sufficient funds to fill these vacancies, HHCS/EH initiated its recruitment efforts to try to fill the current vacancies.

In January 2023, HHCS/EH began a concerted effort to catch up on routine food facilities inspections. With continued vacancies, continued elevated noise and vector complaints, and necessary work in other environmental health programs, this process has been slow, but continues to be a priority. Currently, inspectors are prioritizing the food facilities with the types of services and operations associated with the highest risk.

It is important to note that there have been no confirmed food borne illness outbreaks in Berkeley during or subsequent to the COVID-19 pandemic.

Next Steps

Rebuilding HHCS/EH staffing back is one of several HHCS priorities this year. HHCS/EH will continue to recruit for Registered Environmental Health Specialists, and has started to explore alternative staff models in case qualified candidates cannot be hired. In addition, HHCS/EH is working with IT to improve the functionality of Envision, (the data system used by HHCS/EH), and to restore the ability for the public to review and obtain the latest inspection results for each of the permitted food facilities from the City's Open Data Portal. HHCS/EH will continue to prioritize activities that will have the widest effects on community health as long as full staffing remains a challenge.

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