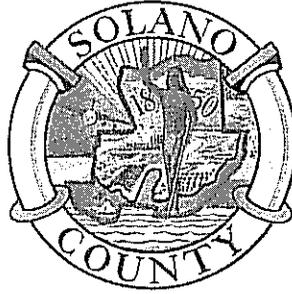


# BOARD OF SUPERVISORS



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July 24, 2007

The Honorable David E. Power, Presiding Judge  
Superior Court, State of California, County of Solano  
Hall of Justice  
530 Union Avenue  
Fairfield, CA 94533

Dear Judge Power:

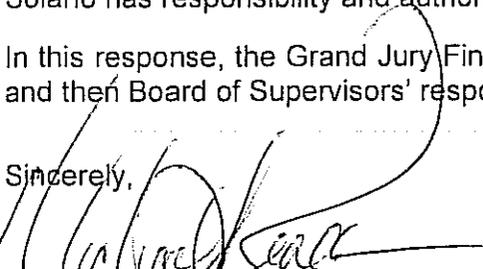
Under Penal Code sections 933 and 933.05, the Board of Supervisors is responding to the findings and recommendations in the following 2006/2007 Grand Jury Reports as they pertain to matters under the control of the Board of Supervisors:

- Part I – Solano County Justice Center Detention Facility Inspection;
- Part II – Solano Justice Building Court Holding Facility – Vallejo;
- Part III – Claybank Detention Facility;
- Part IV – Solano County Veterans' Buildings;
- Part V – Solano County Health & Social Services Department In-Home Supportive Services;
- Part VI – Fouts Springs Youth Facilities;
- Part VII – Solano County Food Establishment Inspection;
- Part VIII – Permission to Carry a Concealed Weapon;
- Part IX – Juvenile Detention and New Foundations Facilities; and
- Part X – Solano County Animal Care Services.

The Board's responses are limited to those areas of the respective reports where the County of Solano has responsibility and authority.

In this response, the Grand Jury Findings and Recommendations are listed followed by departmental and then Board of Supervisors' responses.

Sincerely,

  
Michael J. Reagan, Chairman  
Solano County Board of Supervisors

Enclosures

Cc: Grand Jury

## Part VII

### Solano County Food Establishment Inspection

Issued May 23, 2007

#### **Solano County Director of Resource Management and Board of Supervisors responses to findings and recommendations:**

Finding 1 – The Environmental Health Specialist assigned to conduct food facility inspections are not fully used to accomplish this task.

Resource Management's Response to Finding 1 – The Department partially disagrees with this finding. While it is true that staff in the Consumer Protection Section are also assigned responsibilities in other programs, the number of positions allocated to the section are adequate to perform all duties assigned when the section is fully staffed with trained individuals. Our work plan is based on full time equivalent positions. Therefore, the positions assigned to the food inspection program are fully utilized to accomplish the task, even though a portion of each position is allocated to also perform other tasks. In 2006, staff assigned to the Consumer Protection Section spent 90% of their time involved in the food inspection program with most of the remaining time being spent in the recreational health program. A total of 2,805 routine, follow-up and complaint inspections at high, medium, and low risk food facilities were performed in 2006 to ensure that safe food handling practices were being used.

Not having individuals that are exclusively assigned to perform food inspections is not an issue for the Food Program, but maintaining and training full time qualified individuals in the allocated positions has been. The Division has been managing the extra work created as a result of vacancies or approved long term employee absences utilizing existing staff resources, overtime, compensation time and when necessary, has reduced inspection frequencies. However, the reduction in inspection frequency has never resulted in a food establishment not being inspected, rather it has resulted in fewer inspections.

***Board of Supervisors' Response to Finding 1 – The Board of Supervisors agrees with the Department's response to the Grand Jury finding.***

Recommendation 1 – The staff assigned to the Environmental Health Department for food facility inspections should be used for that activity and not assigned to other programs.

Resource Management's Response to Recommendation 1 – This recommendation will not be implemented as it is not warranted, nor is it the responsibility of the Grand Jury to determine work assignments.

The accomplishment of program responsibilities is not a function of assigning a specialized duty to employees. Rather, it is a function of having sufficiently trained staff to fill all allocated positions assigned to accomplish program objectives. During 2006, the Consumer Protection Section had a vacancy that took some time to fill and had one staff person under the Family Medical Leave Act provision out for 29 weeks. Training of new entry-level employees who were hired to fill vacant positions and development of the food inspection program's automation project recommended in a previous Grand Jury report impacted professional staff time. The absence of two trained professionals did impact the ability of the Department to meet the routine inspection frequency established, but did not impact public health.

***Board of Supervisors' Response to Recommendation 1 – The Board of Supervisors agrees with the Department's response to the Grand Jury recommendation. County departments require the flexibility to utilize staffing resources based on program priorities. Cross training staff to handle several program duties is an excellent way to maximize staffing resources.***

Finding 2 – The standards set in the Risk Based Food Inspection Program are not being met.

Resource Management's Response to Finding 2 – The Department partially disagrees with this finding. While it is agreed that the routine inspection frequencies for food facilities set locally by the Environmental Health Services Division were not fully met in 2006, the fundamental standard of the risk based food inspection program to focus professional staff time at higher risk facilities was met. In 2006 Environmental Health Specialists spent a total time of 2,550 hours performing routine inspections at food facilities designated as high, medium and low risk, of which 58% of that time was spent in high risk, 27% in medium risk and 15% in low risk facilities. These rates are consistent with the risk based food inspection program priority to emphasize high risk facilities. During the same period there were 51 reports of suspected food borne illness, which after review and follow-up inspection it was found that none were confirmed instances.

***Board of Supervisors' Response to Finding 2 – The Board of Supervisors agrees with the Department's response to the Grand Jury's finding. The Department's response provides a sufficient explanation on how they ensure that Food Inspections minimize public exposure to food borne illnesses.***

Recommendation 2 – Solano County Department of Resource Management should take steps to ensure that program minimum standards are being met.

Resource Management's Response to Recommendation 2 – The recommendation has been implemented. The Department has always taken steps to achieve the inspection frequencies it has established. As of May 1, 2007, the Department had filled all vacancies in the food inspection program and the staffperson that was on approved medical leave returned to work. The Department also implemented daily discussions between the supervisor and food program inspection staff to ensure that inspection frequencies are emphasized, especially those at high risk facilities. The filling of all staff positions and implementation of daily meetings has resulted in an increase in routine inspection frequencies between January 1 and June 15, 2007 of 31% compared to the same time period in 2006. To assist in maintaining the staffing levels, and to address recruitment and retention issues, the Board of Supervisors approved salary increases for the Environmental Health Specialist series on June 26, 2007.

The Department is also implementing the use of Tablet PCs in the performance of food establishment inspections. Staff is currently undergoing training in the use of these devices and will begin to utilize them in the field by mid July. While inspection frequencies may decrease initially as staff become accustomed to the new equipment and processes, it is anticipated that the use of these devices will result in a long-term increase in inspection frequency as they are anticipated to allow inspections to be performed consistently with minimal writing.

It needs to be noted though that even after the implementation of procedures and automation inspection tools, vacancies and/or extended medical leaves can impact the ability of the Department to meet its adopted inspection goals. Given this, the Department will evaluate the impact of vacancies on the productive hours of professional staff conducting the food inspection program and make adjustments to our program in such a way as to ensure public health protection.

***Board of Supervisors' Response to Recommendation 2 – The Board of Supervisors agrees with the Department's response to the Grand Jury's recommendation.***