



City of San Antonio

Agenda Memorandum

File Number:16-1286

Agenda Item Number: 6.

Agenda Date: 1/22/2016

In Control: Neighborhoods and Livability Committee

DEPARTMENT: Health

DEPARTMENT HEAD: Vincent R. Nathan, PhD, MPH

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Committee Update Regarding Proposed Changes to Chapter 13 “Food and Food Handlers” for “ABC” Grade Placards

SUMMARY:

On November 16th, 2015, the San Antonio Metropolitan Health District (Metro Health) presented to the Neighborhoods and Livability Committee of the San Antonio City Council, a briefing and possible action on proposed changes to Chapter 13 regarding a new placard display program and the new Texas Food Establishment Rules.

At this session, Committee members recommended that Metro Health move forward with the adoption of the new Texas Food Establishment rules but postponed further action regarding the placard system after the San Antonio Restaurant Association (SARA) requested additional time to consult with the department on revised recommendations. This briefing will provide the Committee with an update regarding discussions that have taken place since that time.

BACKGROUND INFORMATION:

As part of a review and recommendations made by the City’s Office of Innovation and Reforms in 2015, Metro Health’s Food and Environmental Health program formed a workgroup to research food establishment scoring methods used by other cities within and outside of Texas. Research has shown that using an ABC grade card or color coded placard system has reduced the number of restaurant re-inspections needed to gain compliance as well as improving long term compliance with the food rules.

The cities researched were New York, NY, Los Angeles, CA, Santa Clara, CA, Maricopa County, AZ, Longview, TX, Converse, TX and Kerrville, TX. Larger cities like New York City and Los Angeles have seen the following benefits:

- A year-over-year increase in “A” grades and decrease in “B” and “C” grades
- Decrease in major violations
- Decrease in re-inspection rates
- Decrease in food-borne illness cases
- Establishments that maintained “A” food safety standards saw revenues increase
- Saved money and resources by reducing the number of inspections for restaurants that consistently achieved an “A” grade

After multiple meetings with stakeholders and an informal survey conducted amongst City employees, Metro Health brought forth a recommendation to the Neighborhoods and Livability Committee on November 16, 2015 to implement a new color coded ABC graded placard system for food establishments. At that briefing, Metro Health staff also discussed several concerns that had been raised at a November 10th meeting held with SARA. It was determined that the department would need additional time to continue meeting with stakeholders to reach a compromise regarding the look and display requirements for the new placards.

During the latter part of 2015, Metro Health attended four additional meetings with stakeholders to discuss revised recommendations on the following dates:

November 19, 2015 - San Antonio Hotel and Lodging Association (SAHLA) Board Briefing
 November 23, 2015 - Meeting w/ SARA Executive Director, Board President and Executive Committee Member
 December 2, 2015 - Meeting w/ SARA Executive Director and Executive Committee
 December 7, 2015 - Meeting w/ SARA Board

The side by side comparison below provides an overview of the original and revised recommendations developed with input from stakeholders:

| | Original Proposal | Revised Proposal |
|---|---|---|
| Type of placard | ABC letter grade | ABC letter grade with numerical score based on 100 pt. scale |
| Placard Placement | 5 feet from entrance of establishment | <ul style="list-style-type: none"> ▪ 5 feet from entrance of establishment OR ▪ Be highly visible to the public entering the establishment OR ▪ In a location determined by the regulatory authority |
| Placard Pilot Program Start Date | January 1, 2016 | July 1, 2016 |
| Placard Full Implementation Date | April 1, 2016 | October 1, 2016 |
| Color of letters on placard | A - Green B - Yellow C - Red | All letters and placards will be black and white only |
| Letter grade demerit range | A - 0 to 9 demerits B - 10 to 19 demerits C - 20 or more demerits | A - 0 to 10 demerits B - 11 to 20 demerits C - 21 or more demerits |

| | | |
|-------------------------|--|---|
| Re-grade process | <ul style="list-style-type: none"> ▪ Formally requested by restaurant ▪ Must correct all marked demerit items from original inspection ▪ Fee for re-grade must be paid ▪ Only allowed for “C” grades ▪ Can only move up one letter grade to a “B” | <ul style="list-style-type: none"> ▪ Formally requested by restaurant ▪ Must correct all marked demerit items from original inspection ▪ Fee for re-grade must be paid ▪ Allowed for “B” and “C” grades ▪ Can only move up one letter grade ▪ Re-grade will be done within 5 working days |
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Metro Health is scheduled to have a follow up meeting with SARA, SAHLA and other stakeholders during the first week of February to finalize these recommendations.

ISSUE:

Metro Health staff recently proposed changes to Chapter 13 to implement a new food inspection scoring system. At the request of key stakeholders, City Council Committee members recommended to delay full City Council action on this issue to allow the department additional time to reach a compromise. This briefing is to provide an update to the Committee on discussions that have taken place thus far.

ALTERNATIVES:

No alternatives are recommended at this time. This memo is for briefing purposes only.

FISCAL IMPACT:

There is no fiscal impact associated with this item. This memo is for briefing purposes only.

RECOMMENDATION:

Staff recommends that the final recommendations be presented to the Neighborhoods and Livability Committee at the February 2016 meeting.