



Agenda Date: 8/14/2007
Agenda Placement: 6I

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Martha Burdick for Robert Peterson - Director
Public Works
REPORT BY: Nancy Owyong, Staff Services Analyst I , 253-4603
SUBJECT: Agreement with Tissue Bank International

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign a revenue agreement with Tissue Banks International, Inc. (TBI) dba Northern California Transplant Bank effective July 1, 2007, at \$2,500 per month for a month to month term, for the use of the Coroner facility for the harvesting of tissue.

EXECUTIVE SUMMARY

On July 26, 2005, the Board of Supervisors approved the lease of 1,000 square feet of space within the Sheriff facility, to TBI to provide a Food and Drug Administration (FDA) compliant facility for tissue recovery. The Space License Fee will remain the same at \$2,500 per month, on a month to month basis, pending the successful long term negotiation of a new agreement. TBI has requested a per use fee rather than a flat monthly fee, however, at the present number of procedures that are currently being performed the fees proposed by TBI would not recover the industry standard for even general office space at \$2.50 per square foot. The proposed per use fee would only be advantageous if the number of procedures were to greatly increase on a yearly basis.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Coroner
Is it Mandatory or Discretionary?	Discretionary

Discretionary Justification:	This month to month Agreement will continue to provide one of the only facilities in the Bay Area from which to recover viable tissue for the use in therapeutic transplantations - a benefit to Napa and surrounding communities, at the same rate as was agreed to in the expired Lease Agreement No. 6486.
Is the general fund affected?	Yes
Future fiscal impact:	Unknown
Consequences if not approved:	The facility will become unused and vacant.
Additional Information:	Lease Agreement No. 6486 expired on June 30, 2007. This new Agreement will provide TBI continued use of the facility while negotiating for a fair and equitable fee schedule on a per recovery basis, or to continue at a flat monthly rate which would represent the fair market lease value for 1,000 feet of leased space.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The original design of the Sheriff facility included an area designated for the recovery of viable tissue to be used in therapeutic transplants as it was anticipated that such a facility would eventually be beneficial to local and surrounding communities. The only other similar facility in the greater Bay Area was located in Monterey.

Effective May 25, 2005, the Food and Drug Administration (FDA) completed rulemaking that put into place "best practices" requirements to help prevent the transmission and spread of communicable disease by human cells, tissues, and cellular and tissue-based products. As a result of this new legislation, facilities heretofore utilized for tissue recovery, i.e., funeral homes and hospitals, no longer conformed to the best practice requirements. The area designated at the Sheriff's facility meets the FDA requirements and its proximity to the Napa County Airport is an additional benefit due to the time sensitive nature of harvesting.

Approval of this action will allow TBI to lease on a month to month term while negotiating with the County for a new long term agreement. Further research into the advantage of a flat fee versus a per procedure fee will be explored by staff and TBI.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi