



City Council Meeting Agenda

Our Vision: A well-planned lakeside community of quality neighborhoods, distinctive amenities, diverse employment, and cultural charm. Rowlett: THE place to live, work and play.

Monday, September 14, 2026

6:00 PM

Municipal Building – 4000 Main

Pursuant to Texas Government Code Section 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members, including the presiding officer, will be physically present at the location noted above on this Agenda.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Process for Public Input: If you are not able to attend in person, you may complete the [Public Input Form](#) on the City's website by 3:30 p.m. the day of the meeting. All forms will be forwarded to the City Council prior to the start of the meeting.

For in-person comments, request to speak forms/instructions are available inside the door of the City Council Chambers.

1. Call to Order

2. Citizens' Input

At this time, comments will be taken from the audience on any topic. No action can be taken by the Council during Citizens' Input.

3. Work Session

3.A. Conduct interviews for the Downtown Advisory Board applicants.

3.B. Receive an annual update from the Library Advisory Board.

3.C. Receive a presentation regarding proposed amendments to the Rowlett Development Code and the Form Based Code regarding Vapor Store use.

3.D. Receive a presentation regarding a Memorandum of Understanding (MOU) between North Central Texas Trauma Regional Advisory Council and the City of Rowlett acting through the City of Rowlett Fire Department for participation in the Texas Department of State Health Services whole blood administration program.

4. Discuss Consent Agenda Items for September 15, 2026, City Council Meeting

5. Executive Session

5.A. The City Council will convene into closed, executive session pursuant to Texas Government Code §551.071 (Consultation with City Attorney) to receive legal advice regarding pending litigation, to wit: City

of Rowlett, et al. vs. Sapphire Bay Land Holdings I, LLC, et al, Case No. 3-26-0024 in the County Court at Law No. 2, Rockwall County, Texas.

- 5.B.** The City Council will convene into closed, executive session pursuant to Texas Government Code §551.087 (Deliberation regarding economic development negotiations) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect described herein, to wit: Sapphire Bay Towers.
- 5.C.** The City Council will convene into closed, executive session pursuant to Texas Government Code §551.087 (Deliberation regarding economic development negotiations) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect described herein, to wit: Prevail Rowlett.
- 5.D.** The City Council will convene into closed, executive session pursuant to Texas Government Code §551.087 (Deliberation regarding economic development negotiations) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect described herein, to wit: Project Dessert.
- 5.E.** The City Council shall convene into Closed, Executive Session pursuant to Texas Government Code, §551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Manager.
- 5.F.** The City Council shall convene into Closed, Executive Session pursuant to Texas Government Code, §551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: Interim City Manager.
- 6. Reconvene Into Open Session and Take Any Necessary or Appropriate Action on Closed/Executive Session Matters**
- 7. Adjournment**

Deborah Sorensen

Deborah Sorensen, TRMC, MMC, City Secretary

I certify that the above notice of meeting was posted on the bulletin boards located inside and outside the doors of the Municipal Center, 4000 Main Street, Rowlett, Texas, as well as on the [City's website](#) on September 8, 2026, by 5:30 p.m.

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, contact the City Secretary at 972-412-6109 or write 4000 Main St., Rowlett, Texas, 75088, at least 48 hours in advance of meeting.

City of Rowlett ~ 4000 Main Street, Rowlett TX 75088 ~ www.rowlett.com

Meeting Date: 9/14/2026

Agenda Item: 3.A.

Title

Conduct interviews for the Downtown Advisory Board applicants.

Staff Representative

Jeff Winget, Mayor

Executive Summary

Following the creation of the Downtown Advisory Board, the next step is to appoint applicants. The addition of this board will provide a structured mechanism for citizen involvement and stakeholder input regarding issues affecting the downtown area and will support the City's ongoing efforts to enhance and promote downtown redevelopment, revitalization, and community engagement.

Strategic Priority and Goal(s)

Strategic Priority	Strategic Goal
 GOVERN TRANSPARENTLY & INCLUSIVELY	1.6 Actively educate, engage, and communicate with the community through a variety of channels.

Background Information

The City Council authorized the creation of the Downtown Advisory Board on July 7, 2026. The application window opened on July 17 and closed August 18. A total of 25 applications were received for the 7 available positions (5 regular members and 2 alternate members).

Discussion

A total of 19 interviews were conducted by Councilmember Fassett, Councilmember Kizziar and Mayor Winget over the course of two days. Of the remaining applicants, 2 did not respond to requests to schedule the interview, 2 were unavailable to attend the interview window, and 2 withdrew their applications prior to the interviews being conducted.

Each applicant was provided 15 minutes to share information about themselves and to share their vision for Downtown Rowlett. Following these interviews, a list of the most highly-ranked applicants are being recommended to serve on the Board. Their names, suggested positions, terms, and qualifications are shown below.

Name	Position	Term Start	Term End	Qualification
Shelby Coleman	Regular	Sept. 2026	Dec. 2027	Downtown owner/operator, development, design expertise
Julie Condry	Regular	Sept. 2026	Dec. 2028	Downtown owner, development, policy
Vivek Rajbahak	Regular	Sept. 2026	Dec. 2027	Downtown owner/operator, economic development
Martin Molloy	Regular	Sept. 2026	Dec. 2028	Planning, transit, engineering
Jessica Harp	Regular	Sept. 2026	Dec. 2027	Arts & Culture, marketing
Jessica Locklear	Alternate	Sept. 2026	Dec. 2027	Downtown owner/operator
Brooke Allen	Alternate	Sept. 2026	Dec. 2027	Downtown resident, park advocate
Michael Gallops	Alternate	Sept. 2026	Dec. 2027	Downtown owner/operator, economic development, policy
Caitlin Holland	Ex Officio	Sept. 2026	Dec. 2028	DART Representative
Emily Stupnik	Ex Officio	Sept. 2026	Dec. 2027	Chamber of Commerce

It should be noted that an additional Alternate was identified above and beyond the initial 7-member slate that was approved by the City Council. All members of this board are appointed to serve at the pleasure of the City Council.

A resolution is included in the September 15 regular meeting to appoint these members, should the Council choose to do so.

Financial/Budget Implications

N/A

Recommended Action

City Council should ask questions of the applicants and discuss the possible appointment of these members.

Attachments

None

Meeting Date: 9/14/2026

Agenda Item: 3.B.

Title

Receive an annual update from the Library Advisory Board.

Staff Representative

Laura Tschoerner, Library Director

Executive Summary

Council has set the expectation of meeting one-on-one each year with City Boards and Commissions to discuss their respective roles and future direction.

Strategic Priority and Goal(s)

Strategic Priority	Strategic Goal
 ENHANCE QUALITY OF LIFE	4.5 Provide adult, youth, literacy, and digital media services and facilities. 4.6 Support programs and resources for lifelong learning.

Background Information

N/A

Discussion

Since their last presentation, the Library Advisory Board has been busy assisting staff to ensure citizens receive the best service possible as well as helping to promote library services.

The Library Advisory Board's accomplishments over the past year are summarized below:

- Assisting staff with programs, marketing ideas, and helping to bring about library awareness
- Fostering a relationship with the Rowlett Community and Friends of the Library
- Visiting the following libraries: Traphene Hickman Library in Cedar Hill, Rockwall County Library, Garland Central Library
- Providing marketing suggestions
- Assisting with staff at programs with large attendance

The Advisory Board has discussed future library facilities and the impact of the cessation of the current lease at several LAB meetings. This is their message.

Financial/Budget Implications

None

Recommended Action

None

Attachments

None

Meeting Date: 9/14/2026

Agenda Item: 3.C.

Title

Receive a presentation regarding proposed amendments to the Rowlett Development Code and the Form Based Code regarding Vapor Store use.

Staff Representative

Andrew Espinoza, Asst. Director Community Director/Chief Building Official

Executive Summary

At the request of City Council, proposed amendments to the current Vapor Store ordinance have been prepared for review and feedback.

Strategic Priority and Goal(s)

Strategic Priority	Strategic Goal
 Strengthen Neighborhood Livability	3.1 Value existing neighborhoods. 3.2 Sustain a community that is appealing to people at all stages of life. 3.3 Invest in enjoyable places of lasting value and distinctive character.

Background Information

At its August 16, 2022, meeting, the City Council amended Chapter 10, Businesses, of the Code of Ordinances and created Article VII titled Vapor Stores by adopting Ordinance #ORD-027-22 permitting regulations, oversight, and enforcement of Vapor Stores.

The ordinance was a result of community concerns regarding the proliferation of vapor and CBD stores in the City. The purpose of the current ordinance is to ensure that the sale of CBD and vape items is regulated and minimize concentrations. This is intended to be achieved via the review of the percentage of gross sales and a requirement for Special Use Permit (SUP).

However, concerns regarding the proliferation of this land use continue and, as a result, at their June 15, 2026, Work Session, the City Council received a presentation and proposed amendments to the RDC and FBC relating to vapor store land use addressing permitting, oversight, and distance separation requirements.

Table 1 below identifies the existing locations of vapor stores and whether an SUP has

been issued.

Table 1: Vapor Stores with SUP Permits

Business Name	Address	Certificate of Occupancy Issued Date	SUP Issued Date
The Peace Cloud	3378 Lakeview Parkway	06.02.2015	Vested: SUP not required
Vapor 100	5401 Kenwood Drive	12.28.2020	Vested: SUP not required
Just Smoke	7001 Rowlett Road #200	03.07.2022	Vested: SUP not required
The Vapor Store	5328 Lakeview Parkway	10.19.2021	Vested: SUP not required
3D Smoke Shop	5321 Lakeview Parkway #101	10.15.2020	Vested: SUP not required
World of Smoke	6310 Dalrock Road #400	09.17.2021	Vested: SUP not required
Top Cloud	8600 Lakeview Parkway #D	06.28.2019	Vested: SUP not required
The Vapor Bar	8120 Lakeview Parkway #200	10.10.2024	SUP issued 9.9.2024
Fly Smoke	9400 Lakeview Parkway #119	04.01.2022	Vested: SUP not required
Rowlett Wellness Dispensary	5321 Lakeview Parkway #102	04.30.2019	Vested: SUP not required
Endo Dispensary Rowlett	6501 Dalrock Road #100	12.17.2024	SUP not required, sales do not exceed

			90%
Zarr	3701 Lakeview Parkway #102	05.16.2023	SUP Issued 4.4.2026
Scorpion Liquor and Vape	9400 Lakeview Parkway #127	02.27.2026	SUP not required, sales do not exceed 90%
Smokis	6307 Dalrock Road #200	4.29.2026	SUP not required, sales do not exceed 90%

Businesses whose anticipated sales of e-cigarettes or CBD products do not exceed the 90% threshold do not require an SUP. It should be taken into consideration that the City relies on the applicant's information regarding projected sales at the time of application and does not establish a mechanism for ongoing monitoring of actual revenues. There are no provisions requiring annual revenue reporting, periodic audits, or formal reassessment of sales percentages after occupancy has been approved.

Discussion

The current Ordinance establishes regulatory requirements for Vapor Stores operating within the City of Rowlett.

Definition

A vapor store is defined as a retail establishment that derives at least 90% of its gross revenue from the sale of e-cigarettes or e-cigarettes and CBD products. Specific definitions of CBD products and E-Cigarettes are also included in the ordinance which is attached for reference.

Permits

Operators must maintain a valid permit issued by the Texas Comptroller, publicly display the permit at the business location, and maintain a valid Certificate of Occupancy for the premises.

Special Use Permit

A Special Use Permit (SUP) from the City Council prior to operating. The SUP shall expire on the fifth anniversary after issuance. No vested right in a vapor store shall last for a period of more than five years and the SUP shall be applicable to the site at which the business is conducted and not to the person whom it was granted.

Enforcement

Vapor stores are subject to City inspections to verify compliance with the Ordinance. They are required to comply with age restrictions prohibiting the sale or distribution of e-cigarettes to individuals under 21 years of age. Operations must comply with all other applicable city regulations and requirements.

CONSIDERATIONS

Article XII, Section 10-435 defines a vapor store that has at least 90% of its gross revenues from the sale of e-cigarettes and CBD products. This provision minimizes the effectiveness of the intent of the ordinance as most Vapor Stores do not compromise this threshold.

It is being recommended that the SUP zoning requirement be incorporated into the Form Based Code (FBC) as well as the Rowlett Development Code (RDC) (found at Chapter 77 of the Code of Ordinances). This process would require an amendment to the RDC and Form Based Code through the public hearing process and a recommendation of the Planning and Zoning Commission.

At their June 15, 2026, Work Session, the City Council focused their discussion on zoning compatibility, separation distance recommendations, and current proliferation of Vapor Stores. The following amendments are proposed:

- Amend definition of “Vapor Store” to include:
 - Retail establishments that derive at least 51% of their gross annual revenue from the sale of e-cigarettes or e-cigarettes and CBD products;
or
 - Retail establishments that utilize more than 15% of their overall sales floor area used to display cigarettes or e-cigarettes and CBD products.
- Establish a 300-foot separation requirement for all newly permitted Vapor Stores to public schools, hospitals, daycare facilities, places of worship, residential zones and 1,000 feet from other Vapor Stores.
 - Distance will be measured in a straight line from property line to property line.

Furthermore, during this session, the Council also requested information regarding how other municipalities address Vapor Stores. The Table below provides a synopsis of this

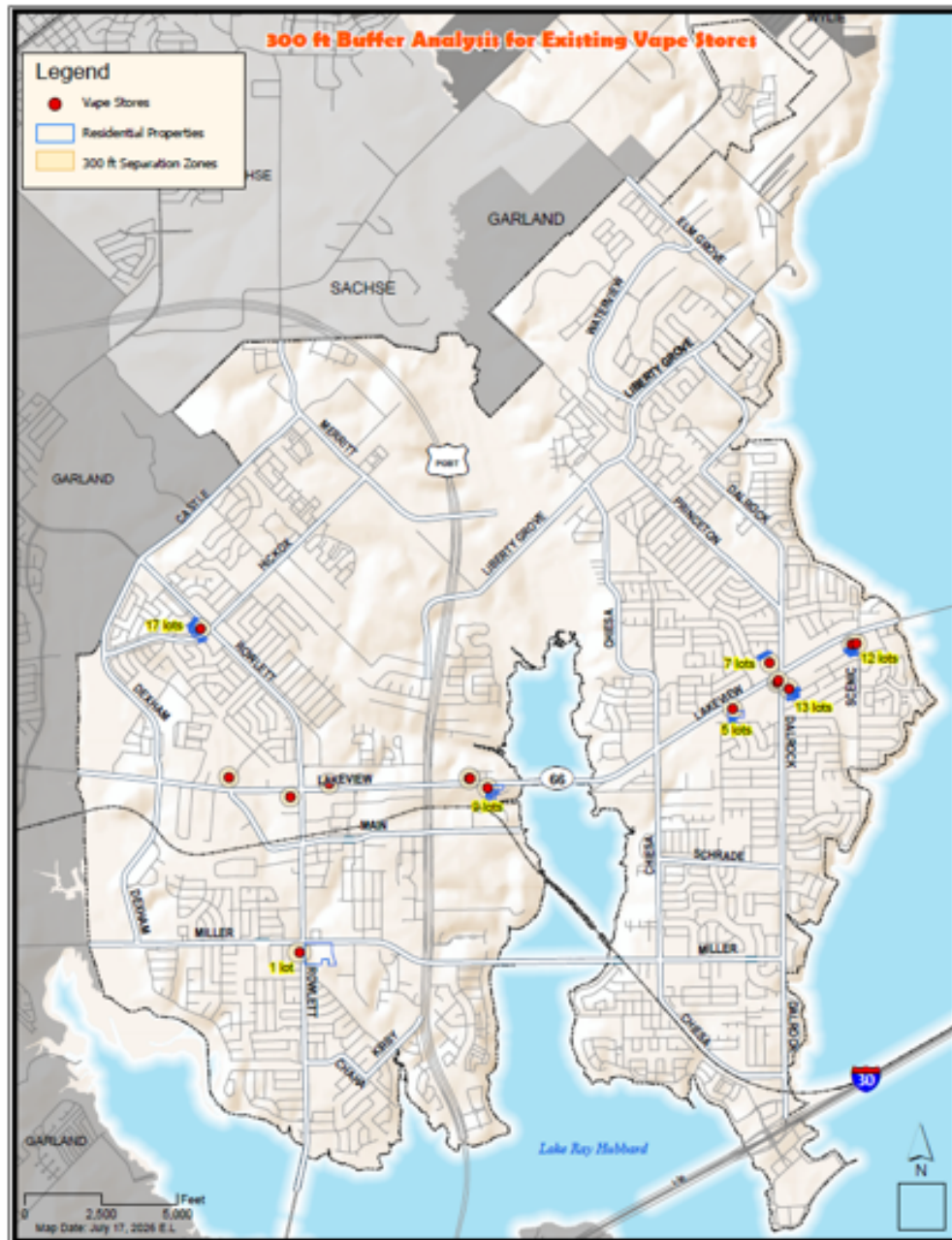
information.

City Name	Allen	Garland	Rockwall	Southlake
Vapor Ordinance	Adopted Sept 2024 “Smoke Shop”	Adopted Jun 2026 “Smoke Shop”	No defined land use	No defined land use
Distance Requirements	300’ from SF Zoning, Church, Public Hospital, Daycare, 1000’ from schools, 1000’ from another Vapor Shop	NA	General Retail	General Retail
Display Floor Plan	Dimensioned Floor Plan	Dimensioned Floor Plan	Dimensioned Floor Plan	Dimensioned Floor Plan
Sales & Entry to Minors	Compliance with State Law	Compliance with State Law	Compliance with State Law	Compliance with State Law
Zoning	Commercial Corridor and Shopping Center District	Industrial District	General Retail District	C2 Local Retail District
SUP Requirement	Yes	Yes	NA	NA
Gross Sales Defined	NA	NA	NA	NA

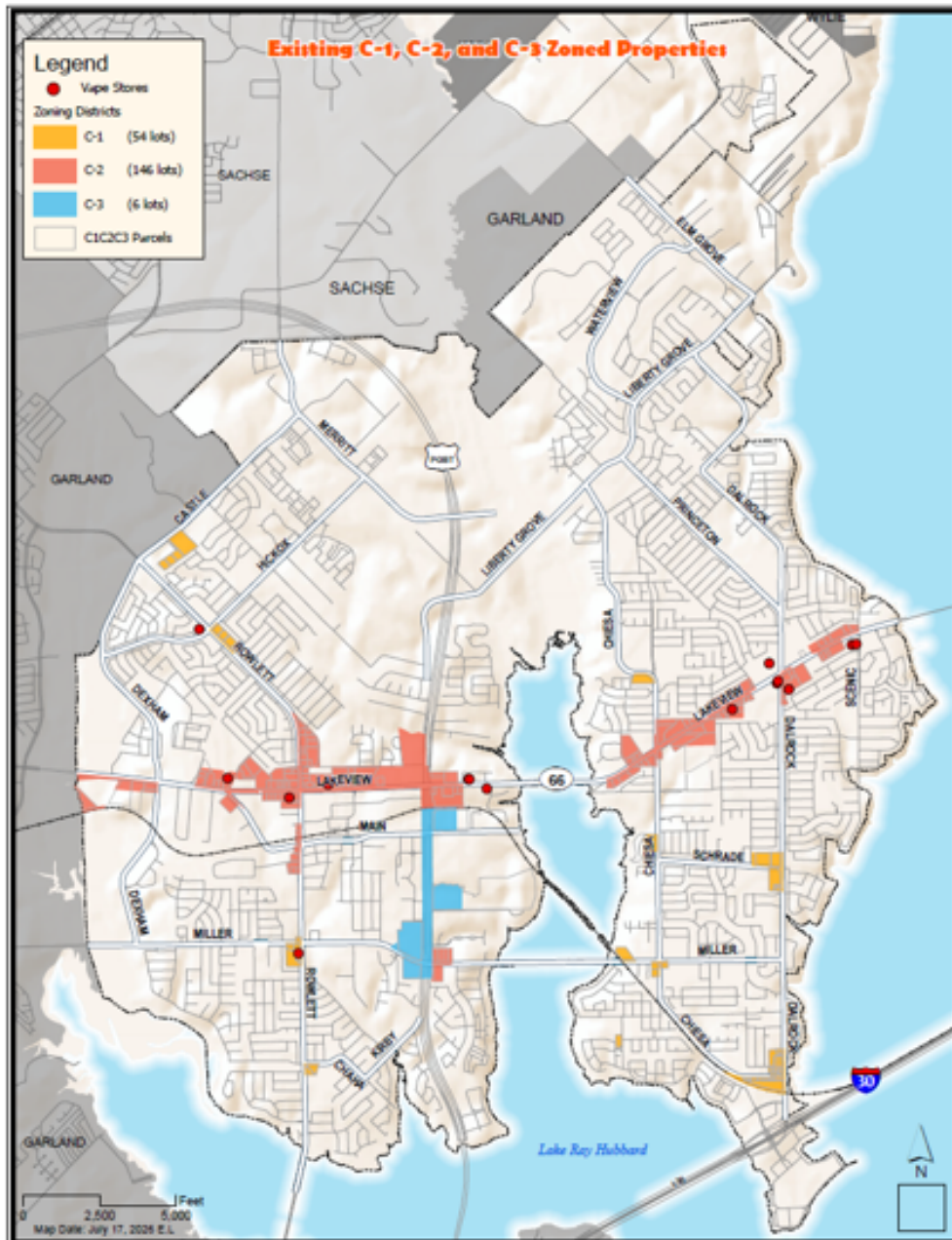
The maps reflected below are intended to illustrate the implications of the proposed 300-foot and 1,000-foot buffer. Additionally, the maps also identify C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts.

Map 1 300-Foot Buffer: This map illustrates a proposed 300-foot radius around

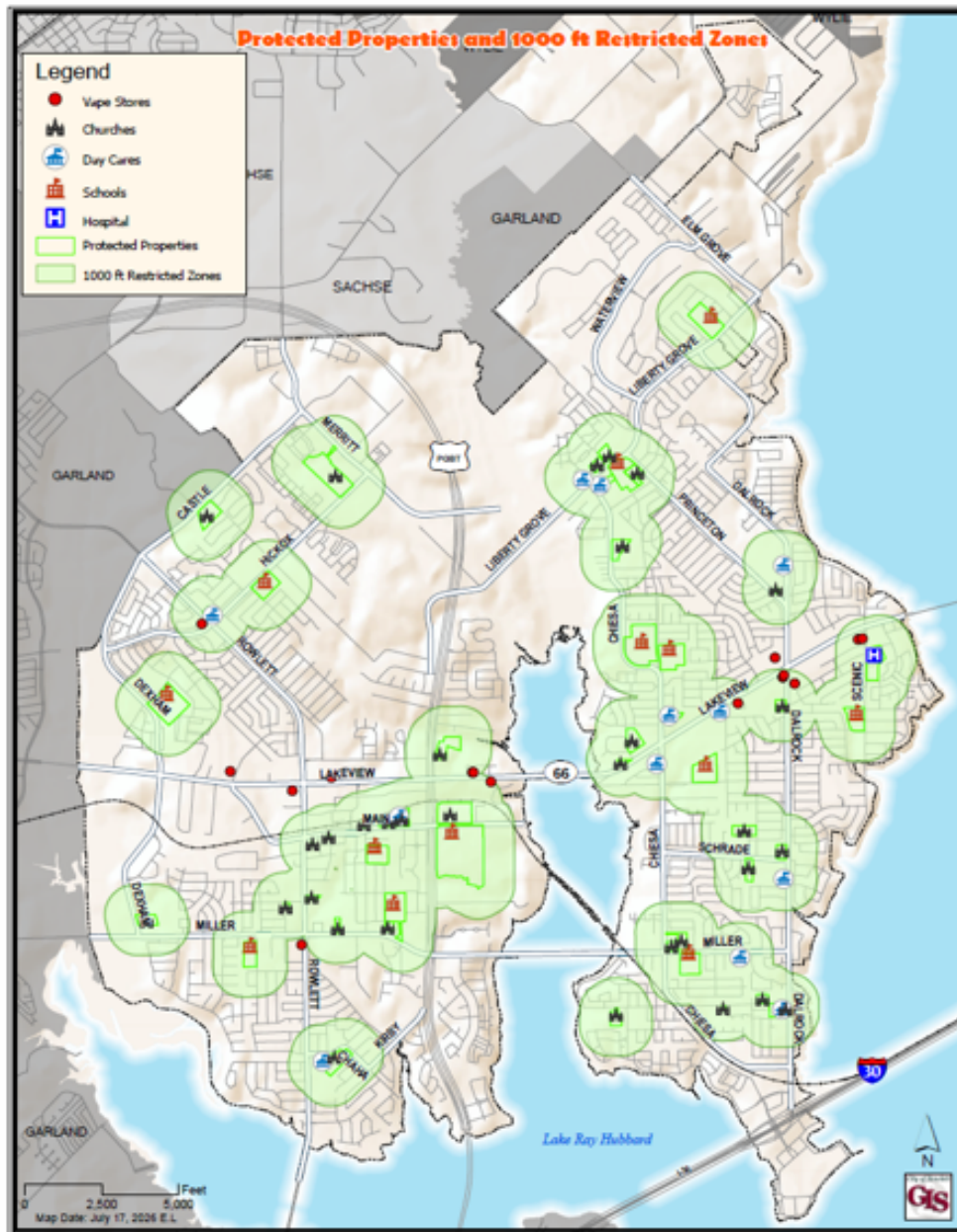
existing Vapor Stores in relation to existing Residential Zoning Districts. Approximately sixty (60) properties would be impacted.



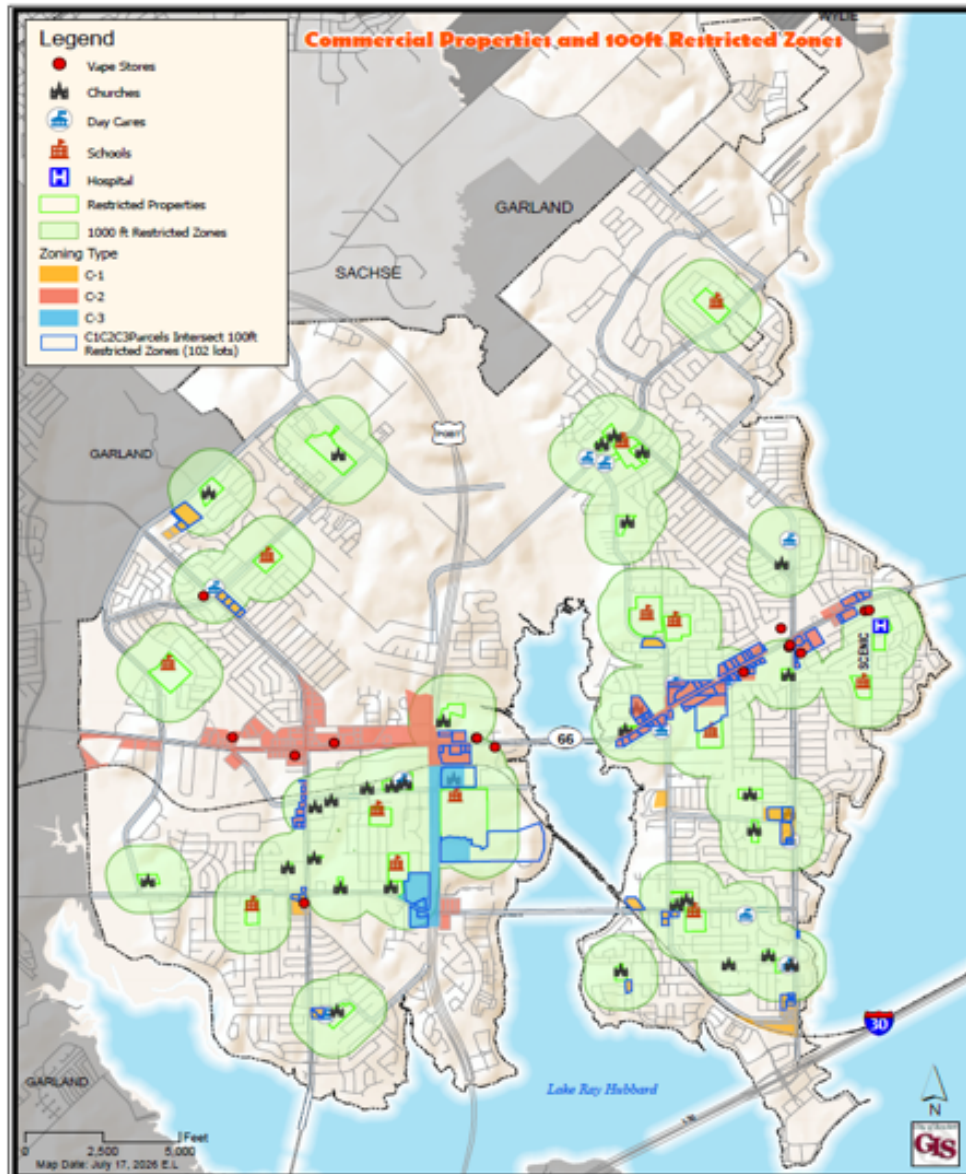
Map 2 Current Vapor Stores: This map illustrates current Vapor Stores in relation to C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts.



Map 3 1,000-Foot Buffer and Current Vapor Stores: This map illustrates a proposed 1,000 buffer around existing churches, day care facilities, schools and hospitals in relation to existing Vapor Stores.



Map 4 1,000-Foot Buffer and Commercial Zoning Districts: This map illustrates a proposed 1000 foot buffer around existing churches, day care facilities, schools and hospitals; and identifies C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts. Approximately 102 properties would be impacted.



Map 5 1,000-Footer Buffer and Commercial Zoning Districts: This map illustrates a proposed 1000' buffer around C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts. Approximately 102 properties would be impacted.



Should there be Council consensus to proceed with the proposed amendments, the Form Based Code (FBC) and Rowlett Development Code (RDC) would have to be amended to require the Special Use Permit for Vapor Stores and this land use would be defined. These draft amendments are provided for review and reference as attachments.

Financial/Budget Implications

NA

Recommended Action

Is there City Council consensus to proceed with the proposed amendments to the Vapor Store Ordinance?

Attachments

1. Attachment 1 - Draft Ordinance Amending FBC SUP for Vapor Stores
2. Attachment 2 - Draft Ordinance Text Amendment Vapor Stores SUP
3. Attachment 3 - Draft Ordinance regarding Vapor Stores Permit and Regulations
4. Attachment 4 - Vapor Store Council Maps

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE FORM-BASED CODE OF THE CITY OF ROWLETT AS FOLLOWS: (1) AT ARTICLE 1 ("GENERAL PROVISIONS"), BY AMENDING SUBSECTION 1.4.10 "SPECIAL USE PERMIT;" (2) AT ARTICLE 2 ("FORM BASED DISTRICT STANDARDS"), BY AMENDING SUBSECTIONS 2.4.2, 2.6.2, AND 2.7.2; (3) AT ARTICLE 6 ("DEFINITIONS") BY ADDING A DEFINITION FOR "VAPOR STORE;" (4) AT APPENDIX 1.1 ("TABLE OF ALLOWED USES") TO ADD "VAPOR STORE" USE ALLOWED BY SPECIAL USE PERMIT (SUP) IN URBAN VILLAGE, URBAN NEIGHBORHOOD, AND COMMERCIAL CENTER DISTRICTS; AND (5) BY AMENDING THE NORTH SHORE FRAMEWORK PLANS, TO REQUIRE SPECIAL USE PERMITS FOR ALL BUILDING TYPES CONTAINING VAPOR STORE USE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rowlett and the governing body of the City of Rowlett, in compliance with the laws of the State of Texas and the ordinances of the City of Rowlett, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing and where the governing body in the exercise of its legislative discretion has concluded that the Form-Based Code of the Zoning Ordinance of the City of Rowlett and the North Shore Framework Plans should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

SECTION 1: The Form-Based Code of the City of Rowlett, Texas, adopted on November 6, 2012 and as amended, be and is hereby amended to require special use permits for all structures containing vapor store use by amending Article 1.4 ("Administration") of Article 1 ("General Provisions"), by amending subsections 2.4.2, 2.6.2, And 2.7.2 of Article 2 ("Form Based District Standards"), and by amending Article 6 ("Definitions"), to read in relevant part as follows:

"ARTICLE 1. GENERAL PROVISIONS

...

Article 1.4 Administration

...

- a. A Special Use Permit (SUP) is a formal zoning action encouraging public engagement and comment of the use and site development features. An SUP is required for multi-family dwellings in all subdistricts where multi-family residential dwellings are allowed. An SUP is also required in all

districts for any structure containing a vapor store use. In each of these instances, this additional analysis is intended to ensure proposed uses will not present significant adverse impacts on the surrounding land uses, infrastructure, transportation corridors, or on the larger community. The purpose of an SUP is not to relieve particular hardships, nor to confer special privileges or rights for a particular project. The SUP review and approval procedure provides a discretionary approval process for development and uses having unique or widely varying characteristics or unusual site development features. Additionally, a Special Use Permit is not used to legitimize nonconforming structures or uses, nor is it used when a variance, deviation, waiver or minor modification could be used to achieve the same result.

- b. An SUP for vapor store use shall not be granted for any structure (i) within 1,000 feet of another structure containing a vapor store use, as measured in a straight line from their respective property lines or (ii) within 300 feet of any church, daycare, school, or hospital, as measured in a straight line from their respective property lines.
- c. The review, approval, public hearing, and notice procedures set forth in Section 77.206 of the Rowlett Development Code, as amended, shall apply to Special Use Permits.

....

ARTICLE 2 FORM BASED DISTRICT STANDARDS

...

Article 2.4 Urban Village (UV) Standards

...

2.4.2 General

...

c. Building Types

...

- 5. Any Building Type containing Vapor Store use will require a Special Use Permit.

....

Article 2.6 Urban Neighborhood (UN) Standards

...

2.6.2 General

...

c. Building Type Mix

1. The UN Building Types as specified in *Appendix 1.2 Building Types*, establishes the range of uses, building types, height maximums, uses, etc. which will be permitted subject to the following: Any Building Type containing Vapor Store use will require a Special Use Permit.

....

Article 2.7 Commercial Center (CC) Standards

...

2.7.2 General

...

c. Building Types

1. The range of Building Types permitted in the Commercial Center FB District is established in *Appendix 2.1 Building Types*, subject to the following: Any Building Type containing Vapor Store use will require a Special Use Permit.

....

ARTICLE 6 DEFINITIONS

As used in this Chapter, the following terms have the meanings ascribed to them, unless the context clearly indicates otherwise.

...

Vapor Store: a retail establishment that sells or offers for sale e-cigarettes and/or CBD products, as defined in section 10-482 of the Rowlett Code of Ordinances, and which either (a) receives at least 51% of its gross annual revenues from the sale of e-cigarettes and/or CBD products and related supplies and merchandise or (b) dedicates at least 15% or more of floor space of the place of business (not including offices, break rooms, storage rooms, and restrooms) to the sale and display of e-cigarettes and/or CBD products

and/or related supplies or merchandise.

....”

SECTION 2. The Form-Based Code of the City of Rowlett, Texas, adopted on November 6, 2012, as previously amended, is hereby further amended by amending Appendix 1.1 ("Table of Allowed Uses") to add Vapor Store as a use under Retail/General and to allow said use with a Special Use Permit (SUP) in Urban Village, Urban Neighborhood and Commercial Center FB Districts.

SECTION 3: The North Shore Framework Plans (The North Shore Center for Commerce and Industry Framework Plan, the North Shore North Framework Plan, and the North Shore South Framework Plan) adopted on or about April 15, 2014, are hereby amended to require a special use permit for any building type containing vapor store use.

SECTION 4: That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5: That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6: That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 7: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Rowlett, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8: That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROWLETT, AS HERETOFORE AMENDED, BY AMENDING (1) SECTION 77-1103.C.11 TO ADD A NEW SUBSECTION (O) DEFINING “VAPOR STORE,” (2) SECTION 77-301.E AT TABLE 3.1-1 TO ALLOW VAPOR STORE USE WITH A SPECIAL USE PERMIT (SUP) IN GENERAL COMMERCIAL/RETAIL (C-2) ZONING DISTRICTS; AND (3) SECTION 77-302.C TO ADD A NEW SUBSECTION 10 REGARDING DISTANCE REQUIREMENTS FOR VAPOR STORE USES; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission of the City of Rowlett, Texas and the governing body of the City of Rowlett in compliance with the laws of the State of Texas and the Ordinances of the City of Rowlett, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion, the City Council has concluded that the Comprehensive Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance of the City of Rowlett, Texas, as heretofore amended, is hereby further amended at Chapter 77 “Development Code,” Chapter 77-1100, “Definitions” by amending Section 77-1103.C.11 to add a new subsection (o) thereto, which subsection shall read in its entirety as follows:

“(o) *Vapor store.* A retail establishment that sells or offers for sale e-cigarettes and/or CBD products, as defined in section 10-482 of the Code of Ordinances, and which either (a) receives at least 51 percent of its gross annual revenues from the sale of e-cigarettes and/or CBD products and related supplies and merchandise or (b) dedicates 15% or more of floor space of the place of business (not including offices, break rooms, storage rooms, and restrooms) to the sale and display of e-cigarettes and/or CBD products and/or related supplies or merchandise.”

SECTION 2. The Comprehensive Zoning Ordinance of the City of Rowlett, Texas, as heretofore amended, is hereby further amended at Chapter 77 “Development Code,” Chapter 77-300, “Use Regulations” at Section 77-

301.E, Table 3.1-1 “Table of Allowed Uses” to add “Vapor Store” use as a Commercial Use, listed under “Retail, General” and indicating the Vapor Store use to be allowed with a Special Use Permit (SUP) in the General Commercial/Retail (C-2) zoning districts.

SECTION 3. The Comprehensive Zoning Ordinance of the City of Rowlett, Texas, as heretofore amended, is hereby further amended at Chapter 77 “Development Code,” Chapter 77-300, “Use Regulations” by amending Section 77-302.C to add a new subsection 10 to read in its entirety as follows:

“Section 77-302 Use Specific Standards

. . .

C. Commercial Uses

. . .

9. *Vehicle filling station*

. . .

10. *Vapor store.*

(a) No vapor store shall be allowed:

(i) within 1,000 feet of another vapor store, as measured in a straight line from their respective property lines; and

(ii) within 300 feet of any church, daycare, school or hospital, as measured in a straight line from their respective property lines.

(b) Special use permits for vapor store uses shall expire on the fifth anniversary after issuance. The business owner may submit an application for a subsequent special use permit to the City’s planning department between 180 and 240 days prior to the permit’s expiration, along with the required zoning amendment application fee, and the permit shall not expire until the City Council has acted upon the application for the subsequent special use permit. No vested right in a special use permit for a vapor store shall last for a period of more than five years.”

SECTION 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Rowlett and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 5. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, or the Rowlett Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 6. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Rowlett Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. This ordinance shall take effect immediately from and after its passage.

4921-6005-1385, v. 2

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, TEXAS, BY AMENDING CHAPTER 10, "BUSINESSES," AT ARTICLE XII, "VAPOR STORES," TO AMEND SECTIONS 10-482 "DEFINITIONS," 10-483 "PERMITS," AND 10-484 "SPECIAL USE PERMIT;" PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds and determines that the proliferation of stores and shops that sell electronic cigarettes and vapor products, often to minors and often including cannabidiol (CBD) oil and CBD-related products, often has a deleterious effect on existing businesses and surrounding residential areas, decreases public safety and property values, contributes to urban blight, and downgrades the quality of life; and

WHEREAS, the Council further finds that retail establishments whose primary sales involve the sale of electronic cigarettes, devices and accessories should be located in appropriate places within the City so as to encourage proper land use and development and should be situated in locations best suited to accommodate such retail facilities; and

WHEREAS, the Council further finds that revision of the definition of "vapor store" and establishment of distance requirements for vapor stores serves the health, safety, and general welfare of the citizens of the city and should, therefore, be approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS THAT:

SECTION 1. The Code of Ordinances of the City of Rowlett is hereby amended at Chapter 10, "Businesses," Article XII, "Vapor Stores," by amending Section 10-482 "Definitions" to repeal and replace the definition of "Vapor store" provided therein, to read in its entirety as follows:

**"CHAPTER 10
BUSINESSES**

...

ARTICLE XII. VAPOR STORES

Sec. 10-482. - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context clearly indicates otherwise:

...

Vapor store shall mean a retail establishment that sells or offers for sale e-cigarettes and/or CBD products, as defined in this section, and which either (a) receives at least 51 percent of its gross annual revenues from the sale of e-cigarettes and/or CBD products and related supplies or merchandise or (b)

dedicates 15% or more of floor space of the place of business (not including offices, break rooms, storage rooms, and restrooms) to the sale and display of e-cigarettes and/or CBD products and/or related supplies or merchandise.”

SECTION 2. The Code of Ordinances of the City of Rowlett is hereby amended at Chapter 10, “Businesses,” Article XII, “Vapor Stores,” by amending Section 10-483 “Permits” to read in its entirety as follows:

“Sec. 10-483. – Permits.

- (a) No person may engage in the business of a vapor store that offers for sale e-cigarettes or related products unless the person has a valid permit for such business from the State of Texas, which shall be kept on public display at the place of business for which the permit was issued.
- (b) No person may engage in the business of a vapor store that offers for sale CBD products or related products unless the person has a valid permit for such business from the State of Texas, which shall be kept on public display at the place of business for which the permit was issued.
- (c) No person may sell, offer for sale, or distribute e-cigarettes or CBD products to any person under the age of twenty-one (21) years.
- (d) No certificate of occupancy shall be granted for operation of a vapor store on any property which:
 - a. is within 1,000 feet of any another vapor store, as measured in a straight line from their respective property lines; or
 - b. is within 300 feet of any of any church, daycare, school, or hospital, as measured in a straight line from their respective property lines.
- (e) In addition to any other remedy, the City may suspend or revoke a certificate of occupancy for the premises in which business is conducted in violation of this section. The suspension or revocation of a certificate of occupancy may be appealed to the city manager of the city within ten (10) days of transmittal of a written notice of suspension or revocation. The notice of appeal must contain a short statement of the basis of the appeal, and must state that the suspension or revocation is unduly harsh or must deny the facts on which the suspension or revocation was made, or both. An appeal must be made in writing and will be heard by the city manager promptly after receipt of a notice of appeal. The city manager’s decision shall be final and binding.”

SECTION 3. The Code of Ordinances of the City of Rowlett is hereby amended at Chapter 10, “Businesses,” Article XII, “Vapor Stores,” by amending Section 10-484 “Special use permit” to read in its entirety as follows:

“Sec. 10-484. – Special Use Permit.

- (a) No person may engage in the business of a vapor store without a special use permit issued in accordance with the Rowlett Development Code or the Rowlett Form Based Code, as applicable. In granting a special use permit, the city may impose reasonable conditions.
- (b) Special use permits for vapor stores shall expire on the fifth anniversary after issuance. The business owner may submit an application for a subsequent special use permit to the City’s planning department between 180 and 240

days prior to the permit's expiration, along with the required zoning amendment application fee, and the permit shall not expire until the City Council has acted upon the application for the subsequent special use permit. No vested right in a special use permit for a vapor store shall last for a period of more than five years.

- (c) A special use permit issued under this section shall be applicable to the site at which the business is conducted and not to the person to whom it was granted."

SECTION 4. The Code of Ordinances of the City of Rowlett is hereby amended at Chapter 10, "Businesses," Article XII, "Vapor Stores," by repealing Section 10-486 "Revocation of permit" in its entirety.

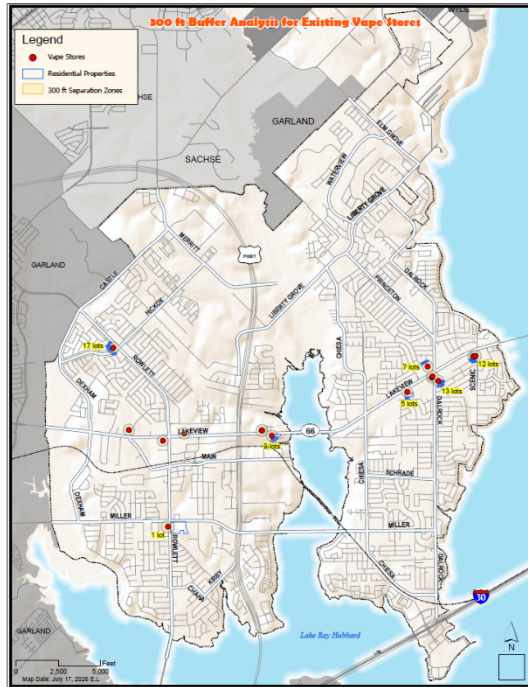
SECTION 5. All ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 7. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Rowlett, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense. Each day in which a continuing violation occurs shall be a separate offense.

SECTION 8. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

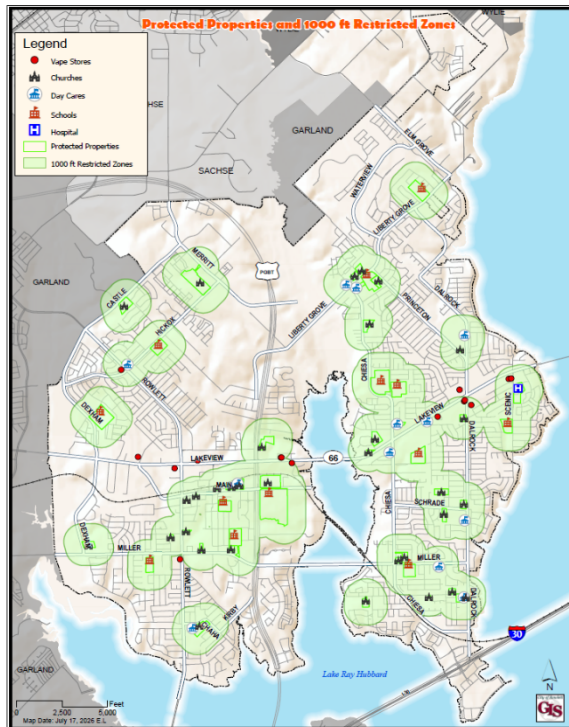
Map 1: 300-Foot Buffer illustrates a proposed 300' buffer around existing Vapor Stores in relation to existing Residential Zoning Districts. Approximately sixty (60) properties would be impacted.



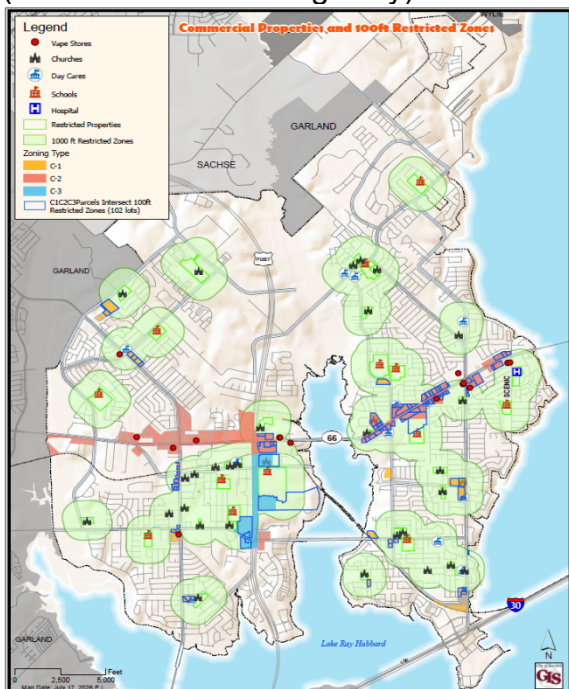
Map 2: Current Vapor Stores illustrates current Vapor Stores in relation to C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts.



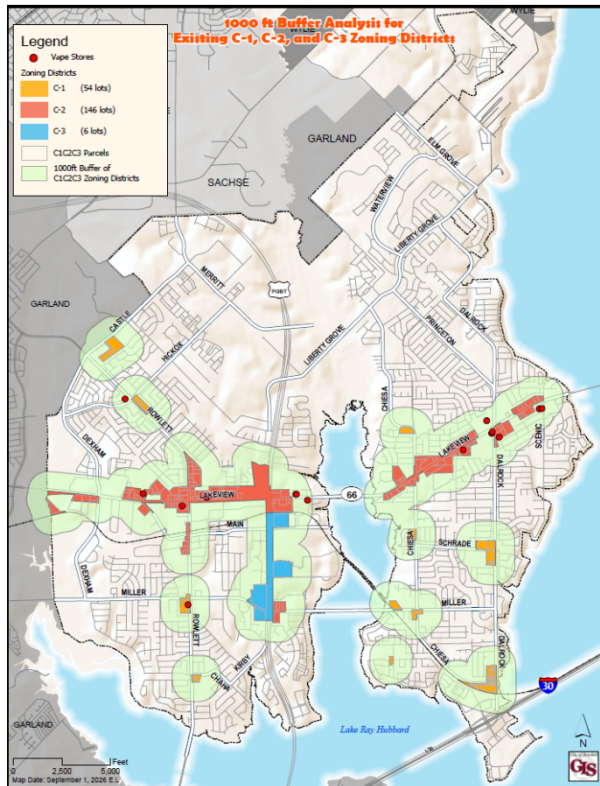
Map 3: 1,000-Foot Buffer and Current Vapor Stores illustrates a proposed 1,000 buffer around existing churches, day care facilities, schools and hospitals in relation to existing Vapor Stores.



Map 4: 1,000-Foot Buffer and Commercial Zoning Districts illustrates a proposed 1000' buffer around existing churches, day care facilities, schools and hospitals; and identifies C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts. Approximately 102 properties would be impacted.



Map 5: 1,000-Foot Buffer and Commercial Zoning Districts illustrates a proposed 1000' buffer around C-1 (Limited Commercial/Retail), C-2 (General Commercial/Retail), C-3 (Commercial/Retail Highway) Districts. Approximately 102 properties would be impacted.



***NOTE:** All distances measured in a straight line from property line to property line.



City of Rowlett City Council Agenda Item

Meeting Date: 9/14/2026

Agenda Item: 3.D.

Title

Receive a presentation regarding a Memorandum of Understanding (MOU) between North Central Texas Trauma Regional Advisory Council and the City of Rowlett acting through the City of Rowlett Fire Department for participation in the Texas Department of State Health Services whole blood administration program.

Staff Representative

Mitchell Randles, Interim Fire Chief

Executive Summary

The Rowlett Fire Department is seeking authorization to participate in the Texas Department of State Health Services (DSHS) Prehospital Whole Blood (PHWB) Pilot Program administered through the North Central Texas Trauma Regional Advisory Council (NCTTRAC).

The statewide program is designed to improve survival for patients experiencing life-threatening blood loss by allowing participating EMS providers to administer whole blood in the pre-hospital setting. Early blood administration can begin resuscitation at the scene while the patient is transported to an appropriate receiving hospital.

Participation will provide the Rowlett Fire Department with access to the resources, training, and program support necessary to implement pre-hospital whole-blood administration in accordance with applicable state regulations and program requirements. The program applies to qualifying trauma, maternal hemorrhage, and other significant medical emergencies involving severe blood loss.

Strategic Priority and Goal(s)

Strategic Priority	Strategic Goal
 Ensure a Safe Environment	2.2 Provide proactive, community-based police services. 2.3 Deliver exceptional first-responder coverage and response times. 2.5 Strengthen public safety, public outreach, education, and communication.

Background Information

The Texas Department of State Health Services (DSHS), in collaboration with the

Governor's EMS and Trauma Advisory Council (GETAC), Regional Advisory Councils (RACs), blood providers, EMS providers, and participating hospitals, established the Prehospital Whole Blood (PHWB) Pilot Program to expand access to whole-blood resuscitation for critically ill and injured patients.

The North Central Texas Trauma Regional Advisory Council (NCTTRAC) has been designated as the contractor by DSHS to administer and implement the program within Trauma Service Area E (TSA-E), which includes Rockwall County and 18 surrounding North Texas counties. The program is supported by \$10 million in state funding appropriated by the Texas Legislature and authorized by Governor Greg Abbott.

Discussion

The Texas Department of State Health Services (DSHS), in partnership with the Governor's EMS and Trauma Advisory Council (GETAC), Regional Advisory Councils, blood providers, EMS agencies, and participating hospitals, has established a statewide Prehospital Whole Blood (PHWB) Pilot Program to improve outcomes for patients experiencing life-threatening blood loss.

The North Central Texas Trauma Regional Advisory Council (NCTTRAC) has been designated by DSHS as the contractor responsible for implementing the program within Trauma Service Area E (TSA-E), which includes Rockwall and Dallas Counties and surrounding North Texas counties. The program is supported by \$10 million in state funding and is intended to expand the ability of EMS providers to administer whole blood in the pre-hospital environment.

Participation in the program will allow the Rowlett Fire Department to administer whole blood to eligible patients suffering from severe hemorrhage resulting from traumatic injury, maternal hemorrhage, or other significant medical conditions. Providing whole blood before arrival at a hospital can initiate life-saving resuscitation at the patient's location while the EMS crew transports the patient to an appropriate receiving facility.

Through the Memorandum of Understanding with NCTTRAC, the Rowlett Fire Department will participate as a Participating Entity and comply with applicable program requirements, including state EMS regulations, program standards, and NCTTRAC policies and procedures.

Participation in the PHWB Pilot Program will enhance the Department's ability to provide advanced life-saving care during the critical minutes following severe blood loss and represents an important advancement in the City's emergency medical response capabilities.

Financial/Budget Implications

All costs for the whole blood program are covered by grant funding from the Texas Department of State Health services through the North Central Texas Trauma Advisory

Council, except for the cost of an unused unit of blood. If a unit of blood is not used, the cost of that unit will be split evenly between the City of Rowlett and the partner hospital. Currently, that cost is \$620.00 with the City's share expected to be \$310.00. The estimated unused unit of blood is three to four per year.

Recommended Action

Staff recommends that the City Council authorize the Interim City Manager to execute the Prehospital Whole Blood (PHWB) Pilot Program Memorandum of Understanding with the North Central Texas Trauma Regional Advisory Council (NCTTRAC), allowing the Rowlett Fire Department to participate in the Texas Department of State Health Services (DSHS) Prehospital Whole Blood Pilot Program and administer whole blood in the Prehospital setting in accordance with applicable state regulations and program requirements.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE NORTH CENTRAL TEXAS TRAUMA REGIONAL ADVISORY COUNCIL FOR ROWLETT FIRE DEPARTMENT PARTICIPATION IN THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES PREHOSPITAL WHOLE BLOOD PILOT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, THE Texas Department of State Health Services (DSHS), in collaboration with the Governor's EMS and Trauma Advisory Council, Regional Advisory Councils, blood providers, EMS providers, and participating hospitals, has established the Prehospital Whole Blood Pilot Program ((PHWB) to expand access to whole blood resuscitation for critically ill and injured patients; and

WHEREAS, the North Central Texas Trauma Regional Advisory Council (NCTTRAC) has been designated by DSHS as the contractor responsible for implementing the PHWB program in the Trauma Service Area that includes Rockwall County and surrounding North Texas counties; and

WHEREAS, participation in the program will allow the Rowlett Fire Department to administer whole blood to eligible patients suffering from severe hemorrhage before arrival at a hospital; and

WHEREAS, by executing a Memorandum of Understanding with NCTTRAC, the City, acting through the Rowlett Fire Department, will be a participating entity in the PHWB program, which will enhance the Department's ability to provide advanced life-saving care during the critical minutes following severe blood loss; and

WHEREAS, the City Council finds that entering into this Memorandum of Understanding serves the health, safety, and general welfare of the citizens of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

SECTION 1. The City Council hereby approves and authorizes the Interim City Manager to execute the Prehospital Whole Blood Pilot Program Memorandum of Understanding with the North Central Texas Trauma Regional Advisory Council on behalf of the City of Rowlett, acting through the Rowlett Fire Department, in substantially the form of that attached hereto and incorporated herein by this reference as Exhibit “A.”

SECTION 2. This resolution shall take effect immediately upon its passage.

Attachments

1. NCTTRAC Prehospital Whole Blood MOU Participating Entities - Fillable



Prehospital Whole Blood Pilot Program

Memorandum of Understanding – Participating Entities

As part of the Texas Department of State Health Services Prehospital Whole Blood Pilot Program, the North Central Texas Trauma Regional Advisory Council (NCTTRAC) has been designated the Contractor under a contractual agreement with the Texas Department of State Health Services (DSHS), effective February 17, 2026 (the “Program,” which include and incorporate the parties’ contractual agreement).

By entering into this *Prehospital Whole Blood (PHWB) Pilot Program Memorandum of Understanding – Participating Entities* (the “MOU”) with NCTTRAC, the Participating Entities / Subrecipient affirms, understands, and agrees, without exception, to comply with the following terms through the life of the MOU. This MOU is effective upon the final signatory date.

Purpose

To establish a regional PHWB program to support Emergency Medical Services (EMS) providers administering whole blood to patients in the field suffering from extreme blood loss due to trauma, maternal hemorrhage, or other significant medical conditions. The goal is to begin resuscitation at the patient’s location and ensure timely transport to the appropriate receiving hospital for continued treatment.

Background

The Texas EMS/Trauma Systems Section, in collaboration with the Governor’s EMS and Trauma Advisory Council (GETAC), Regional Advisory Councils (RACs), blood providers, EMS providers, and participating hospitals, is implementing the statewide Program.

This initiative builds on evidence from trauma systems, military medicine, and prior Department of State Health Services (DSHS) programs demonstrating improved outcomes through early whole-blood administration. This Program is supported by \$10 million in funding appropriated by the State of Texas and authorized by Governor Greg Abbott.

This Program shall:

- Apply to licensed EMS Providers, participating hospitals, regional advisory councils (RACs), and blood providers (“Participating Entities”);
- Support compliance with Texas Administrative Code Title 25, Part 1, Chapter 157, Rule 157.11 and Title 22, Part 9, Chapter 169; and
- Align with national best practices and state trauma system goals.

NCTTRAC, as the Contractor (in the agreement with DSHS), has been awarded funds to develop and implement the Program to increase survival rates for patients suffering severe hemorrhage by enabling EMS providers to administer whole blood in the prehospital setting in

trauma service area - E (TSA-E) which is comprised of the following counties: Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise.

NCTTRAC is vested with discretion and is responsible for decision-making regarding the allocation of Program funds, Program implementation, and coordination with Participating Entities. NCTTRAC will provide administrative support for the distribution and expenditure of Program funding within TSA-E as set forth in the Bylaws, Standard Operating Procedures (SOPs), and/or other administrative guidance of NCTTRAC. Referenced documents in this MOU will be made available through NCTTRAC upon request.

Defined Participating Entities:

- 1. NCTTRAC** – Regional Program Administrator
- 2. Participating EMS Providers** – Licensed EMS agencies authorized to store and administer whole blood
- 3. Participating Hospitals** – Hospitals receiving patients who have been administered prehospital whole blood
- 4. Participating Blood Providers** – Licensed blood centers supplying whole blood to partners within the Program

In consideration of the agreements set forth below, NCTTRAC and the Participating Entities agree as follows:

A. Shared Program Standards Applicable to All Entities

I. Regulatory Compliance

1. Comply with all applicable transfusion safety standards according to the Food & Drug Administration (FDA) and the Association for the Advancement of Blood & Biotherapies (AABB).
2. Follow applicable provisions of the DSHS PHWB contract requirements as stated herein.

II. Patient Safety & Transfusion Oversight

1. Promptly report, within 24 hours, any and all suspected or confirmed transfusion reactions or product deviations in compliance with program requirements to NCTTRAC.
2. Participate in regional system performance improvement (SPI) as required.
3. Support and utilize standardized patient identification, traceability, and documentation (e.g., Pulsara, Wristbands, BloodCOMM, etc.).

III. Data Reporting & Performance Improvement

1. Submit timely and accurate data via designated reporting platforms.
2. Conduct internal PHWB system performance improvement (SPI) activities.
3. Use shared data exclusively for patient safety, quality improvement, and system evaluation.
4. Maintain confidentiality consistent with HIPAA and SPI review protections.

IV. Communication & System Collaboration

1. Maintain transparent communication among Participating Entities.
2. Designate and maintain points of contact for Program coordination.
3. Support regional collaboration to promote best practices and system alignment.
4. Develop system processes and blood rotation systems to ensure minimal blood wastage at or below the established national wastage level.

B. Obligations of NCTTRAC

NCTTRAC shall agree to the following:

1. Allocate Program funds in accordance with DSHS PHWB contract requirements.
2. Distribute approved Program funds and/or equipment to Participating Entities as resources remain available.
3. Reimburse EMS and Hospitals in accordance with the contract parameters. (dependent upon available Program funding).
4. Monitor Participating Entities to ensure compliance with all Program requirements.
5. Maintain all documentation submitted by Participating Entities.
6. Provide administrative support for the PHWB/Prehospital Transfusion Program (PTP) Workgroup.
7. Facilitate protected, closed-session reviews of transfusion-related incidents.
8. Use the DSHS-designated statewide PHWB data steward methods for data collection and reporting.
9. Purchase and distribute equipment meeting FDA and AABB standards.
10. Provide copies of manufacturers' manuals and warranty statements as available.

C. Obligations of EMS Providers

EMS Providers shall agree to the following:

1. Be a NCTTRAC member in good standing and meet active participation requirements.
2. Develop, implement, and maintain a prehospital whole blood program.
3. Establish written policies, procedures, clinical guidelines, and training programs, including, but not limited to;
 - i. Administration criteria
 - ii. Exclusion criteria
 - iii. Obtaining consent

- iv. Special populations criteria
 - v. Managing transfusion reactions
- 4. Maintain ongoing SPI processes that must include the level of harm, opportunities for improvement, and corrective actions that are developed and tracked. The SPI processes must specifically address the following:
 - i. Patients meeting criteria who received whole blood
 - ii. Patients meeting criteria who did not receive whole blood
 - iii. Patients not meeting criteria who received whole blood
 - iv. Suspected or confirmed transfusion reactions
 - v. Referral compliance for females of childbearing potential or future potential.
 - vi. Support investigations of transfusion reactions by collaborating with hospitals.
- 5. Participate in the PHWB regional centralized temperature monitoring system, to include a documented escalation process in the event of an alert notification.
- 6. Maintain documented validation of temperature controls in the BloodCOMM data platform.
- 7. Utilize equipment in compliance with FDA, AABB, and blood provider standards.
- 8. Maintain equipment in an operational readiness condition and/or replace damaged or malfunctioning equipment at the EMS providers' expense
- 9. Notify NCTTRAC within 24 hours if provided equipment becomes inoperable or is removed from service.
- 10. Maintain a formal agreement with a licensed blood provider to ensure continuity of supply. This agreement must include a documented contingency plan to secure an alternate source of whole blood if the primary blood provider is unable to meet the agency's needs.
- 11. Notify NCTTRAC if the EMS provider is unable to secure whole blood or blood products within 24 hours.
- 12. Notify NCTTRAC within 24 hours if there is a breach in the agreement between the EMS provider and the blood provider, resulting in a loss or suspension of whole blood or blood products.
- 13. Submit all required proof of payment documentation as requested by NCTTRAC.
- 14. Plasma may be reimbursed **only for the following scenarios:**
 - i. EMS providers and level IV facilities that are 60 miles or greater from other EMS providers and/or higher-level designated facilities
 - ii. Females of childbearing potential or future potential to decrease the risk of alloimmunization in Rh-females.
- 15. Collaborate with your contracted blood provider and NCTTRAC to support and promote donor recruitment.
- 16. Document transfusions and submit data using established collection and reporting methods.
- 17. Document the Texas EMS wristband number in the patient care report (PCR).
- 18. Attend a minimum of 75% of the PHWB/PTP work group meetings.

19. Develop system processes and blood rotation systems to ensure minimal blood wastage at a level at or lower than the national wastage.
20. Support local, regional, and state response needs and requests as they relate to the Program and upon initiation of such requests by local partners, NCTTRAC, or State Mission Assignment.
21. Launch the PHWB program within 10 days of being approved by your blood provider, unless otherwise approved by NCTTRAC.
22. Comply with all other requests submitted or required by NCTTRAC or under the THHS' Terms and Conditions, which can be supplied upon request.

D. Obligations of Participating Hospitals

Hospitals shall agree to the following:

1. Be a NCTTRAC member in good standing and meet active participation requirements.
2. Facilities receiving female patients of childbearing age or childbearing potential must additionally perform a blood type and screen with antigen testing. Ensure appropriate consultation with referral to Blood Bank/Transfusion Medicine (blood pathologist) and Maternal-Fetal Medicine services, as clinically indicated.
3. Provide transfusion and outcome data to NCTTRAC and EMS providers.
4. Collaborate with and assist NCTTRAC and EMS providers to support blood drives and donor recruitment.
5. Attend a minimum of 75% of the PHWB/Prehospital Transfusion Program Workgroup meetings.
6. Develop system processes and blood rotation systems to ensure minimal blood wastage at a level at or lower than the national wastage
7. Perform an EMS hand-off, document the wristband number in the electronic medical record (EMR), and provide EMS feedback and specific data requested for patients who receive prehospital whole blood or plasma.
8. Support investigations of transfusion reactions by collaborating with EMS providers.
9. Comply with all other requests submitted or required by NCTTRAC or under DSHS' Terms and Conditions, which can be supplied upon request.

E. Terms and Termination

1. The Term of this MOU will commence on the signatory date and continue in full force unless terminated as provided herein.
2. If the participating entity fails to comply with any of the requirements as stated in this MOU, NCTTRAC reserves the right to terminate this MOU.
3. Either Party may terminate this MOU upon providing 30 days' prior written notice of the intended date of termination.
4. Termination of the MOU by any of the Participating Entities prior to fulfilling the Program requirements will result in the timely return of Program-funded assets.

5. Participating Entities that cease operations, including business closure and/or bankruptcy proceedings prior to fulfilling the Program requirements, shall notify NCTTRAC and arrange for the return of Program-funded assets.
6. Participating Entities that cease operations, as stated above, shall notify NCTTRAC and identify the name(s) and contact information for individuals and/or agencies to coordinate the return of Program-funded assets.
7. Participating Entities that experience a change in ownership or similar circumstances, which invalidate the previous commitment as agreed herein, shall notify NCTTRAC of this change in status. Participating Entities may continue to participate in the Program by submission of this agreement, under a new signature, to NCTTRAC. Failure to submit a new MOU in a timely manner shall be considered as a termination indicated above.

F. Miscellaneous

1. Participating Entities represent and warrant that all statements and information provided to NCTTRAC are current, complete, and accurate. This includes all statements and information in this MOU. Persons who knowingly submit erroneous or fraudulent information will be subject to actions by the Texas Department of State Health Services (DSHS) as appropriate.
2. Costs incurred by NCTTRAC, including all legal costs, in the recovery of funds or Program-funded assets, as required above, will be paid by the defaulting Participating Entities.
3. Participating Entities will defend and indemnify the NCTTRAC, its directors, employees, agents, and representatives (the "NCTTRAC Indemnitees") and hold the NCTTRAC Indemnitees harmless against any damage, claims, suits, actions, liabilities, loss, penalties, costs, and expenses, including, without limitation, reasonable attorneys' fees arising out of:
 - i. A breach of any of the representations, warranties, or obligations of this MOU by the Participating Entities.
 - ii. Negligent acts or omissions or dishonesty of Participating Entities or any employees, agents, or representatives in their performance of the Participating Entities' obligations under this MOU or the Program.
4. Participating Entities hereby warrant and represent that they are not currently excluded, debarred, suspended, in default, or otherwise ineligible to participate in any federal, state, or NCTTRAC Programs. Nor are they in imminent danger of such exclusion, debarment, suspension, or other ineligibility from receiving such a Grant. Participating Entities agree that the foregoing representation and warranty shall remain true and correct throughout the duration of this Agreement.
5. Any required or optional notice under this agreement is considered given when one of the following happens first:
 - i. It is delivered by hand, courier, or electronically, to the recipient;
 - or

- ii. Three business days after it is mailed through U.S. certified or registered mail with prepaid postage and a return receipt, to the listed address or another address provided in writing
6. This MOU contains or references the entire agreement of the parties and supersedes all prior agreements, contracts, and understandings, whether written or otherwise, between the parties relating to the subject matter herein.
7. This MOU shall be governed by the laws of the State of Texas. Venue for such disputes shall be in a state court in Tarrant County, Texas.

NCTTRAC

North Central Texas Trauma Regional Advisory Council

Signature

Printed Name

Title

Date

EMS Provider or Hospital

EMS Provider or Hospital Name

Signature

Printed Name

Title

Date