

Texas Lottery Commission

October 21, 2021

10:00 a.m.

I.	<p>The Texas Lottery Commission will call the meeting to order.</p> <p>Pledge of Allegiance to the U.S. and Texas flags.</p> <p>Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."</p>	Robert G. Rivera, Chairman
II.	Recognition in honor of former Chairman Winston Krause's service to the state of Texas.	Robert G. Rivera, Chairman
III.	Report by the Bingo Advisory Committee (BAC) Chairman; possible discussion and/or action on the BAC's activities, including removal and appointment of committee members.	William Trace Smith III, Chairman, Bingo Advisory Committee
IV.	Report, possible discussion and/or action on the Annual Contract Status Report and Supplemental Information for all major and prime agency contracts.	Mike Fernandez, Administration Division Director
V.	Report, possible discussion and/or action on agency prime contracts, including amendment, renewal or extension of the contracts for Website Hosting Services, Risk Review and Compliance Monitoring Services and Promotional Products.	Mike Fernandez, Administration Division Director
VI.	Report, possible discussion and/or action on agency major and prime contracts, including amendment, renewal or extension of the Dallas Cowboys trademark license and promotional agreements with Pro Silver Star, LTD and Frisco Management, LP.	Mike Fernandez, Administration Division Director
VII.	Report, possible discussion and/or action on agency major contracts, including the procurement for the contract for scratch ticket manufacturing and services.	Mike Fernandez, Administration Division Director
VIII.	Consideration of and possible discussion and/or action, including proposal, on amendments to 16 TAC §§ 402.413 (Military Service Members, Military Veterans, and Military Spouses), 402.452 (Net Proceeds), and 402.702 (Disqualifying Convictions).	Tyler Vance, Assistant General Counsel
IX.	Consideration of and possible discussion and/or action, including proposal, on new 16 TAC §403.701 (Family Leave Pool).	Deanne Rienstra, Special Counsel
X.	Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §401.101 (Lottery Procurement Procedures).	Lea Garey, Senior Contracts Attorney
XI.	Consideration of and possible discussion and/or action,	Kyle Wolfe, Assistant General

including adoption, on amendments to 16 TAC §401.153 (Qualifications for License).	Counsel
XII. Report, possible discussion and/or action on lottery sales and revenue, game performance, new game opportunities, advertising, promotional activities, market research, trends, and game contracts, agreements, and procedures.	Kathy Pyka, Controller Lauren Callahan, Media Relations Division Director
XIII. Report, possible discussion and/or action on transfers to the State.	Kathy Pyka, Controller
XIV. Report, possible discussion and/or action on external and internal audits and/or reviews relating to the Texas Lottery Commission, and/or on Internal Audit activities.	Darlene Brown, McConnell & Jones LLP
XV. Report by the Charitable Bingo Operations Director and possible discussion and/or action on the Charitable Bingo Operations Division's activities, including licensing, accounting and audit activities, reports, and special projects.	LaDonna Castañuela, Charitable Bingo Operations Director
XVI. Report by the Executive Director and possible discussion and/or action on the agency's operational status, major contracts, agency procedures, awards, and FTE status.	Gary Grief, Executive Director
XVII. Consideration of the status and possible approval of orders in enforcement cases: <u>Lottery NSF License Revocation Cases (Default)</u> A. Docket No. 362-21-2604 – Gas Express B. Docket No. 362-21-2966 – United Income Tax Services <u>Lottery Agreed Orders</u> C. Case No. 2021-390 – Kroger 527 D. Case No. 2021-721 – Braeburn Liquor E. Case Nos. 2021-745 and 2021-746 – North Bluff Grocery Store F. Case No. 2021-749 – Energy Exxon G. Case No. 2021-775 – New Millennium Mart H. Case No. 2021-776 – Shell Food Mart	Bob Biard, General Counsel
XVIII. Public comment.	Robert G. Rivera, Chairman
XIX. Commission may meet in Executive Session: A. To deliberate personnel matters, including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director and/or Charitable Bingo Operations Director, pursuant to §551.074 of the Texas Government Code. B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code. C. To receive legal advice regarding pending or contemplated litigation or settlement offers, or	Robert G. Rivera, Chairman

<p>other legal advice, pursuant to §551.071(1) and (2) of the Texas Government Code, including but not limited to legal advice regarding the following items:</p> <p><u>Pending litigation regarding Fun 5's Scratch Ticket Game #1592, including Travis County District Court Docket No. D-1-GN-14-005114 (Steele, et al. v. GTECH Corp.);</u></p> <p>Legal advice regarding the Governor's March 13, 2020 COVID-19 state of disaster declaration (as renewed thereafter) and related Texas Lottery Commission matters, Texas Government Code Chapters 466 (State Lottery Act) and 467 (Texas Lottery Commission), the Bingo Enabling Act, the Open Meetings Act, the Public Information Act, the Administrative Procedure Act, employment and personnel law, procurement and contract law, evidentiary and procedural law, ethics laws, and general government law.</p> <p><u>Legal advice regarding any item on this open meeting agenda.</u></p> <p>XX. Return to open session for further deliberation and possible action on any matter posted for discussion in Executive Session. Any matter posted for Executive Session also may be the subject of discussion and/or action in open session.</p> <p>XXI. Adjournment.</p> <p>Notice of Assistance at Public Meetings. Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, should contact Debbie Jamieson at (512) 344-5038 at least four (4) work days prior to the meeting so that appropriate arrangements can be made.</p>	<p></p> <p>Robert G. Rivera, Chairman</p> <p>Robert G. Rivera, Chairman</p>
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Copy Center

From: Jamieson, Debbie
Sent: Wednesday, October 13, 2021 12:10 PM
To: Simpson, MaryBeth; Zamora, Myra
Cc: Biard, Bob
Subject: FW: S.O.S. Acknowledgment of Receipt

-----Original Message-----

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Wednesday, October 13, 2021 12:08 PM
To: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>
Subject: S.O.S. Acknowledgment of Receipt

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Acknowledgment of Receipt

Agency: Texas Lottery Commission

Liaison: Debbie L. Jamieson

The Office of the Secretary of State has posted

notice of the following meeting:

Board: Texas Lottery Commission

Committee: Texas Lottery Commission

Date: 10/21/2021 10:00 AM "TRD# 2021006180"

Notice posted: 10/13/21 12:07 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z TRD=2021006180](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z TRD=2021006180)

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- B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code.
- C. To receive legal advice regarding pending or contemplated litigation or settlement offers, or other legal advice, pursuant to §551.071(1) and (2) of the Texas Government Code, including but not limited to legal advice regarding the following items:

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Legal advice regarding any item on this open meeting agenda.

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