

Texas Lottery Commission

August 11, 2022

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.	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, continuation of the BAC, and the BAC's annual work plan for FY 2023.	William "Trace" Smith, III, Chairman of the Bingo Advisory Committee
III.	Consideration of and possible discussion and/or action on petition of Daniel R. Moore, Inc.; K&B Sales, Inc.; and Roy Bingo Supplies of Texas, Inc., for adoption of eight new Charitable Bingo Operations Division rules relating to shutter card bingo systems.	Tyler Vance, Assistant General Counsel
IV.	Consideration of and possible discussion and/or action on the June 22, 2022 request of Red Men Tribe 14 Tonkawa for a bingo advisory opinion regarding whether certain bingo games are authorized under the Bingo Enabling Act and Charitable Bingo Administrative Rules.	Tyler Vance, Assistant General Counsel
V.	Report, possible discussion and/or action on agency major contracts, including the amendment of the lottery operator contract, and whether discussion relating to the negotiation of the lottery operator contract in an open meeting would have a detrimental effect on the Commission's position in the negotiations.	Mike Fernandez, Administrative Division Director
VI.	Report, possible discussion and/or action on proposals for scratch ticket manufacturing and services (RFP No. 362-2022-0005), including approval to execute contract.	Mike Fernandez, Administrative Division Director
VII.	Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §401.317 ("Powerball" Draw Game Rule).	Deanne Rienstra, Special Counsel
VIII.	Report, possible discussion and/or action on the agency's comprehensive business plan pursuant to State Lottery Act §466.028.	Ryan Mindell, Lottery Operations Director
IX.	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.	Kelly Stuckey, Controller

X.	Report, possible discussion and/or action on transfers to the State and the agency's budget status.	Kelly Stuckey, Controller
XI.	Report, possible discussion and/or action on the Fiscal Year 2024-25 Legislative Appropriations Request.	Kelly Stuckey, Controller
XII.	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
XIII.	Report, possible discussion and/or action on charitable bingo financial information for calendar years 2020 and 2021 pursuant to Bingo Enabling Act §2001.060.	LaDonna Castañuela, Charitable Bingo Operations Division Director
XIV.	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 Division Director
XV.	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
XVI.	Consideration of the status and possible approval of orders in enforcement cases:	Bob Biard, General Counsel
	<u>Lottery NSF License Revocation Cases (Default)</u>	
	A. Docket No. 362-22-2434 – 24 Seven Cullen Food Mart	
	B. Docket No. 362-22-2819 – Alon Mart	
	<u>Lottery Agreed Orders</u>	
	C. Case No. 2022-223 – Quick C-Store	
	D. Case No. 2022-226 – Good Time Stop	
	E. Case No. 2022-364 – Star Food Mart	
	F. Case No. 2022-366 – Fast Stop Texas Express #3	
XVII.	Public comment.	Robert G. Rivera, Chairman
XVIII.	Commission may meet in Executive Session:	Robert G. Rivera, Chairman
	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 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:

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.); and U.S. District Court (Western District-Austin) Docket No. 1:22-CV-578-RP (Texas Lottery Commission v. Ali Ansari).

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.

Legal advice regarding any item on this open meeting agenda.

- XIX. 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.

- XX. Adjournment.

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.

Robert G. Rivera, Chairman

Robert G. Rivera, Chairman

From: [Jamieson, Debbie](#)
To: [Simpson, MaryBeth](#); [Zamora, Myra](#)
Cc: [Blard, Bob](#)
Subject: FW: S.O.S. Acknowledgment of Receipt
Date: Wednesday, August 3, 2022 12:04:32 PM

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Wednesday, August 3, 2022 12:03 PM
To: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>
Subject: S.O.S. Acknowledgment of Receipt

CAUTION: This email originated outside the Texas Lottery's email system.
DO NOT click links or open attachments unless you expect them from the sender and know the content is safe.

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: 08/11/2022 10:00 AM "TRD# 2022004590"

Notice posted: 08/03/22 12:02 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2022004590](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2022004590)

LIVESTREAM. The Commission open meeting may be viewed live online. Members of the public may access a livestream video of the meeting via the following link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjVmOWM0M2MtYzI2Yy00MTlmLWFmYzUtM2QzYTZhOGMyZWNm%40thread.v2/0?context=%7b%22Tid%22%3a%22c6270a15-feb3-48d6-ae19-52f87b499f5a%22%2c%22Oid%22%3a%22143b90a7-54c6-45b9-b719-e69d44bae9ee%22%2c%22IsBroadcastMeeting%22%3atrue%7d&btype=a&role=a

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- XIII. Report, possible discussion and/or action on charitable bingo financial information for calendar years 2020 and 2021 pursuant to Bingo Enabling Act §2001.060.

- XIV. 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.
- XV. 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.
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