



# Texas Lottery Commission

## June 21, 2023

### 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.	William “Trace” Smith III, Chairman, Bingo Advisory Committee
III.	Report, possible discussion and/or action on agency major contracts, including amendment, renewal or extension of the contract for internal audit services.	Angela Zgabay-Zgarba, Administration Division Director
IV.	Report, possible discussion and/or action on agency prime contracts, including the procurements for contracts for website hosting service and retailer bonus payment management services.	Angela Zgabay-Zgarba, Administration Division Director
V.	Report, possible discussion and/or action on agency prime contracts, including a contract for promotional and sponsorship program with the National Medal of Honor Museum Foundation.	Angela Zgabay-Zgarba, Administration Division Director
VI.	Report, possible discussion and/or action on agency prime contracts, including amendment, renewal or extension of the contract for lottery drawings CPA services.	Angela Zgabay-Zgarba, Administration Division Director
VII.	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 and Robert Tirloni, Lottery Operations Division Director
VIII.	Report, possible discussion and/or action on transfers to the State.	Kelly Stuckey, Controller
IX.	Report, possible discussion and/or action on the 88th Legislative Session.	Nelda Trevino, Governmental Affairs Division Director
X.	Report, possible discussion and/or action on the Sunset review process involving the agency.	Ryan Mindell, Deputy Executive Director
XI.	Report, possible discussion and/or action on re-approval of Commission Policy P-002, Division of Responsibilities.	Bob Biard, General Counsel
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
XIII.	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 Castanuela, Charitable Bingo Operations Division Director

<p>XIV. 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.</p> <p>XV. Consideration of the status and possible approval of orders in enforcement cases:</p> <p><u>Lottery NSF License Revocation Cases (Default)</u></p> <ul style="list-style-type: none"> <li>A. Docket No. 362-23-07493 – Mr. D's Kwick Food Mart Limited Liability Company</li> <li>B. Docket No. 362-23-11873 – Quick Chek Food Store</li> <li>C. Docket No. 362-23-11874 – Shop N Go</li> <li>D. Docket No. 362-23-12837 – Berry Food Store</li> <li>E. Docket No. 362-23-14634 – EZ Buy</li> <li>F. Docket No. 362-23-16387 – Paisano Food Store</li> </ul> <p><u>Lottery Agreed Orders</u></p> <ul style="list-style-type: none"> <li>G. Case No. 2023-211 – Circle K #2741024</li> <li>H. Case No. 2023-213 – Circle K #2741858</li> <li>I. Case No. 2023-570 – Seven Hills Market</li> </ul> <p><u>Other Lottery Cases</u></p> <ul style="list-style-type: none"> <li>J. Docket No. 362-23-01176 – Richmond Food Super Market (protested NSF case)</li> <li>K. Docket No. 362-23-08285 – Matt's Quick Stop and Bakery (default)</li> <li>L. Docket No. 362-23-13223 – Venus Country Store (default)</li> <li>M. Docket No. 362-23-15254 – Amazing Angel Food Mart (protested NSF case)</li> </ul> <p><u>Bingo Cases</u></p> <ul style="list-style-type: none"> <li>N. Docket No. 362-21-2282.B – Monica Weber (bingo worker)</li> <li>O. Docket Nos. 362-21-2276.B, 362-21-2277.B, 362-21-2278.B, 362-21-2279.B, 362-21-2280.B, and 362-21-2281.B – Alamo Hills Bingo Unit (Terra-Genesis of San Antonio; Ella Austin Community Center; TG 106, Inc.; Sav-Baby, Inc.; Central Park Lions Club; and District 2-2A Sight and Tissue Foundation, Inc.)</li> </ul>	<p>Gary Grief, Executive Director</p> <p>Bob Biard, General Counsel</p>
<p>XVI. Public comment.</p> <p>XVII. The Commission may meet in Executive Session:</p> <ul style="list-style-type: none"> <li>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.</li> <li>B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code.</li> <li>C. To receive legal advice regarding pending or</li> </ul>	<p>Robert G. Rivera, Chairman</p> <p>Robert G. Rivera, Chairman</p>

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.

XVIII. 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.

XIX. 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

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**From:** [Jamieson, Debbie](#)  
**To:** [Simpson, MaryBeth](#); [Zamora, Myra](#)  
**Cc:** [Biard, Bob](#)  
**Subject:** FW: S.O.S. Acknowledgment of Receipt  
**Date:** Tuesday, June 13, 2023 12:53:56 PM

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>  
Sent: Tuesday, June 13, 2023 12:52 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: 06/21/2023 10:00 AM "TRD# 2023003370"

Notice posted: 06/13/23 12:52 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub\\_om\\_lookup\\$.startup?Z\\_TRD=2023003370](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2023003370)

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\\_NDE2NjgzMzItMGY3MS00NjVjLTk0OTItYzc4M2I2NGJhZjZj%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%2C%22role%22%3A%22a%22%7D&btype=a&role=a](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDE2NjgzMzItMGY3MS00NjVjLTk0OTItYzc4M2I2NGJhZjZj%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%2C%22role%22%3A%22a%22%7D&btype=a&role=a)

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- B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code.
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