

Texas Lottery Commission

August 17, 2023

10:00 a.m.

I.	The Texas Lottery Commission will call the meeting to order. Pledge of Allegiance to the U.S. and Texas flags. Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."	Robert G. Rivera, Chairman
II.	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 Ryan Mindell, Deputy Executive Director, AND Chris Cassidy, President & CEO, National Medal of Honor Museum Foundation
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, continuation of the BAC, and the BAC's annual work plan for FY 2024.	William "Trace" Smith III, Chairman, Bingo Advisory Committee
IV.	Consideration of and possible discussion and/or action, including proposal, on amendments to 16 TAC §§ 401.152 (Application for License), 401.302 (Scratch Ticket Game Rules), 401.362 (Retailer's Financial Responsibility for Lottery Tickets Received and Subsequently Damaged or Rendered Unsaleable, for Winning Lottery Tickets Paid and for Lottery-Related Property), and 401.370 (Retailer's Financial Responsibility for Lottery Tickets Received and Subsequently Stolen or Lost).	Tyler Vance, Assistant General Counsel
V.	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
VI.	Report, possible discussion and/or action on transfers to the State and the agency's budget.	Kelly Stuckey, Controller
VII.	Report, possible discussion and/or action on the FY 2024 Operating Budget.	Kelly Stuckey, Controller
VIII.	Report, possible discussion and/or action on the agency's comprehensive business plan pursuant to State Lottery Act §466.028.	Robert Tirloni, Lottery Operations Division Director
IX.	Report, possible discussion and/or action on Article IX, Section 17.36 of the FY 2024-2025 General Appropriations Act (Lottery Sales by Phone).	Robert G. Rivera, Chairman
X.	Report, possible discussion and/or action on the Sunset review process involving the agency, including approval of	Ryan Mindell, Deputy Executive Director

<p>the agency's self-evaluation report.</p> <p>XI. 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.</p> <p>XII. 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.</p> <p>XIII. 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>XIV. Consideration of the status and possible approval of orders in enforcement cases:</p>	<p>Darlene Brown, McConnell & Jones</p> <p>LaDonna Castanuela, Charitable Bingo Operations Division Director</p> <p>Gary Grief, Executive Director</p> <p>Bob Biard, General Counsel</p>
<p><u>Lottery NSF License Revocation Cases (Default)</u></p> <p>A. Docket No. 362-23-15803 – La Mexicana Meat Market</p> <p>B. Docket No. 362-23-17423 – Classic Mart and 420 Shop</p> <p>C. Docket No. 362-23-18502 – Roman's Texaco</p> <p>D. Docket No. 362-23-20183 – Quick Stuff</p> <p>E. Docket No. 362-23-20184 – Tyks Investments 2 LLC</p> <p>F. Docket No. 362-23-20560 – Ruiz Food Mart</p> <p>XV. Public comment.</p> <p>XVI. The Commission may meet in Executive Session:</p> <p>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.</p> <p>B. To deliberate the duties of the General Counsel pursuant to §551.074 of the Texas Government Code.</p> <p>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:</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.); and U.S. District Court (Western District-Austin) Docket No. 1:22-CV-578-RP (Texas Lottery Commission v. Ali Ansari).</u></p> <p>Legal advice regarding Texas Government Code Chapters 466 (State Lottery Act) and 467 (Texas</p>	<p>Robert G. Rivera, Chairman</p> <p>Robert G. Rivera, Chairman</p>

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.

XVII. 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.

XVIII. 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: Did not receive a submission page
Date: Wednesday, August 9, 2023 12:33:11 PM
Attachments: 08172023.doc

From: Texas Register <TexasRegister@sos.texas.gov>
Sent: Wednesday, August 9, 2023 12:30 PM
To: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>
Subject: RE: Did not receive a submission page

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.

Hi Debbie—

Our automated email receipts of acknowledgement are not sending to liaisons at this time. We are working on the problem and hope to have it fixed soon.

Your meeting has been filed and is available to the public on our website. A screen shot of the posting follows.

Please feel free to let us know if we may be of further assistance.

Sincerely,
Texas Register

Agency Name:	Texas Lottery Commission
Date of Meeting:	08/17/2023
Time of Meeting:	10:00 AM (Local Time)
Board:	Texas Lottery Commission
Committee:	Texas Lottery Commission
Status:	Accepted
Street Location:	1700 Congress Avenue, Stephen F. Austin Bldg., Room 170
City Location:	Austin
Meeting State:	TX
TRD:	2023004606
Submit Date:	08/09/2023
Emergency Meeting?:	No
Additional Information Obtained From:	Debbie Jamieson at (512) 344-5038; debbie.jamieson@lottery.state.tx.us
	<p>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:</p> <p>https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTgwYmM4YTEtYjZlNy00MwY0LTlhYWMTZjZmNWlwNDhhNzgw%40thread.v2/0?context=%7B%22id%22%3A%22c6270a15-feb3-48d6-ae19-52f87b499f5a%22%2C%22oid%22%3A%22143b90a7-54c6-45b9-b719-c69d44bae9ee%22%2C%22IsBroadcastMeeting%22%3Atrue%22%2C%22role%22%3A%22a%22%7D&btype=a&role=a</p> <p>I. The Texas Lottery Commission will call the meeting to order. Pledge of Allegiance to the U.S. and Texas flags. Texas Pledge: " Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible. "</p> <p>II. 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.</p> <p>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, continuation of the BAC, and the BAC's annual</p>

Agenda:

work plan for FY 2024.

IV. Consideration of and possible discussion and/or action, including proposal, on amendments to 16 TAC §§ 401.152 (Application for License), 401.302 (Scratch Ticket Game Rules), 401.362 (Retailer's Financial Responsibility for Lottery Tickets Received and Subsequently Damaged or Rendered Unsaleable, for Winning Lottery Tickets Paid and for Lottery-Related Property), and 401.370 (Retailer's Financial Responsibility for Lottery Tickets Received and Subsequently Stolen or Lost).

V. 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.

VI. Report, possible discussion and/or action on transfers to the State and the agency's budget.

VII. Report, possible discussion and/or action on the FY 2024 Operating Budget.

VIII. Report, possible discussion and/or action on the agency's comprehensive business plan pursuant to State Lottery Act §466.028.

IX. Report, possible discussion and/or action on Article IX, Section 17.36 of the FY 2024-2025 General Appropriations Act (Lottery Sales by Phone).

X. Report, possible discussion and/or action on the Sunset review process involving the agency, including approval of the agency's self-evaluation report.

XI. 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.

XII. 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.

XIII. 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.

XIV. Consideration of the status and possible approval of orders in enforcement cases:
Lottery NSF License Revocation Cases (Default)

A. Docket No. 362-23-15803 - La Mexicana Meat Market

B. Docket No. 362-23-17423 - Classic Mart and 420 Shop

C. Docket No. 362-23-18502 - Roman's Texaco

D. Docket No. 362-23-20183 - Quick Stuff

E. Docket No. 362-23-20184 - Tyks Investments 2 LLC

F. Docket No. 362-23-20560 - Ruiz Food Mart

XV. Public comment.

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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 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.

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From: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>

Sent: Wednesday, August 9, 2023 12:23 PM

To: Texas Register <TexasRegister@sos.texas.gov>

Subject: Did not receive a submission page

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to InformationSecurity@sos.texas.gov.

Good afternoon.

I filed an Open Meeting Submission at noon and I did not receive a notice of submission by email. Please advise.

Thank you.

Debbie Jamieson | Executive Assistant
Legal Services Division | Texas Lottery Commission
512.344-5038 | Debbie.jamieson@lottery.state.tx.us

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_MTgwYmM4YTEtYjZlNy00MWY0LTlhYWmtZjZmNWlwNDhhNzgw%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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