

Texas Lottery Commission

August 7, 2024

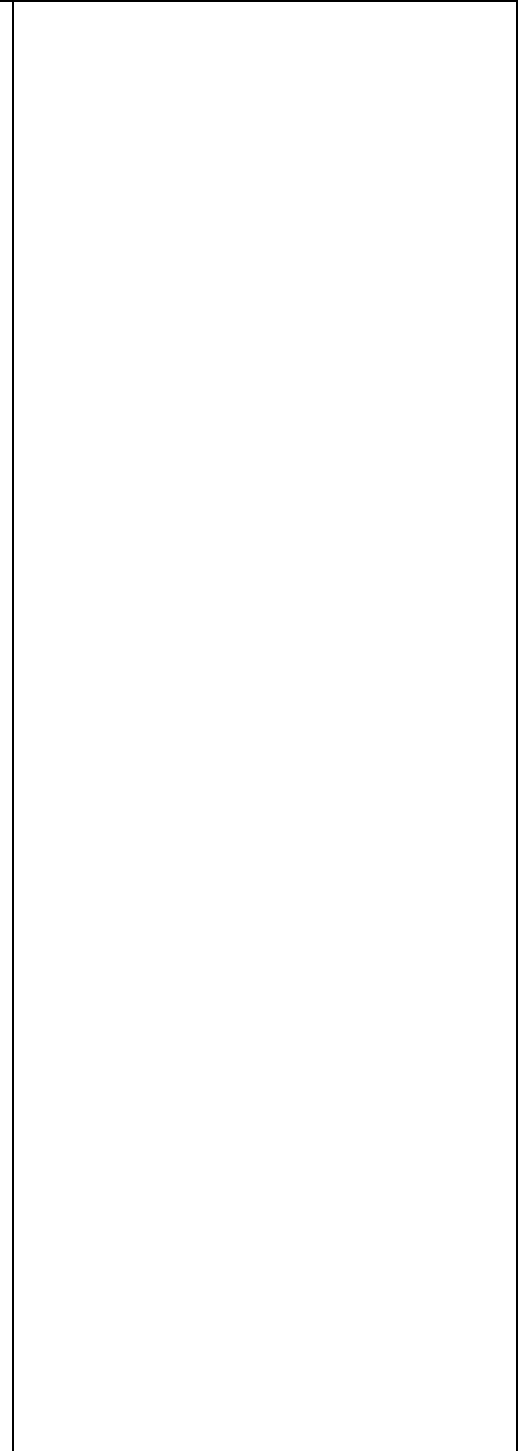
10:00 a.m.

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 by the Bingo Advisory Committee (BAC) Chairman; possible discussion and/or action on the BAC’s activities, including the BAC Annual Report for FY 2024, continuation of the BAC, appointment of committee members, and the BAC’s annual work plan for FY 2025.	William “Trace” Smith III, Chairman Bingo Advisory Committee
III.	Consideration of and possible discussion and/or action on the proposed repeal of existing 16 TAC §401.315 (“Mega Millions” Draw Game Rule) and the publication and adoption of new 16 TAC § 401.315 (“Mega Millions” Draw Game Rule).	Deanne Rienstra, Special Counsel
IV.	Report, possible discussion and/or action on agency prime contracts, including amendment, renewal or extension of the lease for the Austin warehouse.	Angela Zgabay-Zgarba, Administration Division Director
V.	Report, possible discussion and/or action on the lottery operations and services procurement.	Angela Zgabay-Zgarba, Administration Division Director
VI.	Report, possible discussion and/or action on the agency’s comprehensive business plan pursuant to State Lottery Act §466.028, including any comments from the Commission’s planning subcommittee.	Robert Tirloni, Lottery Operations 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.	Sergio Rey, Controller and Will Russ, Products Manager
VIII.	Report, possible discussion and/or action on transfers to the State and the agency’s budget.	Sergio Rey, Controller
IX.	Report, possible discussion and/or action on the agency’s Fiscal Years 2026-27 Legislative Appropriations Request, including any comments from the Commission’s planning subcommittee.	Sergio Rey, Controller

X.	Report, possible discussion and/or action on the Sunset review process involving the agency.	Nelda Treviño, Governmental Affairs Division Director
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, including approval of the Fiscal Year 2025 Annual Internal Audit Plan and any comments from the Commission's audit subcommittee.	Darlene Brown, Partner, McConnell Jones
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.	LaDonna Castanuela, Charitable Bingo Operations Division Director
XIII.	Report by the Executive Director and possible discussion and/or action on the agency's operational status, major contracts, agency procedures, awards, FTE status, and bulk purchasing of lottery tickets.	Ryan Mindell, Executive Director
XIV.	<p>Consideration of the status and possible approval of orders in enforcement cases:</p> <p><u>Lottery NSF License Revocation Cases (Default)</u></p> <p>A. Docket No. 362-24-15840 – Shell Gateway 9</p> <p>B. Docket No. 362-24-16335 – Food Bazaar</p> <p>C. Docket No. 362-24-18167 – Handi Stop #99</p> <p>D. Docket No. 362-24-18655 – Pit Stop One</p> <p>E. Docket No. 362-24-19127 – Amor Y Vida, LLC</p> <p><u>Lottery Agreed Orders</u></p> <p>F. Case No. 2024-268 – Bayside Mini Mart</p> <p>G. Case No. 2024-270 – Start Stop 33</p> <p>H. Case No. 2024-434 – Mr. Joe's Food Mart</p> <p>I. Case No. 2024-516 – Kings Foodstore</p> <p><u>Bingo Agreed Orders</u></p> <p>J. Case No. 2024-1 – Andrew McIntyre (Bingo Worker)</p> <p>K. Case No. 2024-76, 77, 78, 79, 80 – Department of Texas Veterans of Foreign Wars of US; VFW Post 3377; Gaining Academic Progress Pre K-K Learning Center (GAP-PLC); Improved Order of Red Men of Texas 24 Pawnee Council; and Red Men Tribe 19 Apache</p>	Bob Biard, General Counsel

XV. Public comment.	Robert G. Rivera, Chairman
<p>XVI. The Commission may meet in Executive Session:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> <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> <u>Dallas County Justice Court, Precinct 3, Place 1, Cause No. JPC-24-02259-31 (Ethel Lache v. Lenora Taylor, Will Simpson & Gary Grief).</u> <p>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.</p> <p><u>Legal advice regarding any item on this open meeting agenda.</u></p>	Robert G. Rivera, Chairman
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.	Robert G. Rivera, Chairman
XVIII. Adjournment.	Robert G. Rivera, Chairman

<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 Little at (512) 344-5038 at least four (4) workdays prior to the meeting so that appropriate arrangements can be made.</p>	
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Simpson, MaryBeth

From: Lossman, Tarah
Sent: Tuesday, July 30, 2024 9:14 PM
To: Zamora, Myra; Simpson, MaryBeth
Cc: Biard, Bob; Lossman, Tarah
Subject: FW: S.O.S. Acknowledgment of Receipt
Attachments: 08072024.doc

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Tuesday, July 30, 2024 9:10 PM
To: Lossman, Tarah <Tarah.Lossman@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: Tarah Lossman

The Office of the Secretary of State has posted

notice of the following meeting:

Board: Texas Lottery Commission

Committee: Texas Lottery Commission

Date: 08/07/2024 10:00 AM "TRD# 2024004453"

Notice posted: 07/30/24 09:10 PM

Proofread your current open meeting notice at:

[https://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2024004453](https://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2024004453)

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_YjI4YWFlZTEtMjQyZS00ZDAxLWE4YjEtMzI2YmQyODUxY2Fk%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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- III. Consideration of and possible discussion and/or action on the proposed repeal of existing 16 TAC §401.315 (“Mega Millions” Draw Game Rule) and the publication and adoption of new 16 TAC § 401.315 (“Mega Millions” Draw Game Rule).
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- VIII. Report, possible discussion and/or action on transfers to the State and the agency’s budget.
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- 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, FTE status, and bulk purchasing of lottery tickets.
- XIV. Consideration of the status and possible approval of orders in enforcement cases:
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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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