

Texas Lottery Commission

February 8, 2018

9:00 a.m.

<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>J. Winston Krause, Chairman</p>
<p>II. Report, possible discussion and/or action on agency major contracts, including approval to execute contract for drawing studio and production services (RFP No. 362-18-0001).</p>	<p>Michael R. Fernandez, Administration Division Director</p>
<p>III. Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §401.317 ("Powerball®" On-Line Game Rule).</p>	<p>Deanne Rienstra, Special Counsel</p>
<p>IV. Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §401.305 ("Lotto Texas" On-Line Game Rule).</p>	<p>Deanne Rienstra, Special Counsel</p>
<p>V. Consideration of and possible discussion and/or action, including proposal, on new 16 TAC §403.800 (Savings Incentive Program).</p>	<p>Ryan S. Mindell, Managing Attorney</p>
<p>VI. 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.</p>	<p>Katheryn J. Pyka, Controller</p>
<p>VII. Report, possible discussion and/or action on transfers to the State and the agency's budget status.</p>	<p>Katheryn J. Pyka, Controller</p>
<p>VIII. 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>Darlene Brown, McConnell Jones Lanier & Murphy LLP</p>
<p>IX. 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, pull-tab review, and special projects.</p>	<p>Alfonso D. Royal III, Charitable Bingo Operations Division Director</p>
<p>X. 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>Gary N. Grief, Executive Director</p>
<p>XI. Consideration of the status and possible approval of orders in enforcement cases and other matters:</p>	<p>Robert F. Biard, General Counsel</p>

Lottery NSF License Revocation Cases (Default)

- A. Docket No. 362-18-0962 – Southmost Stop
- B. Docket No. 362-18-0963 – Jag’s #1
- C. Docket No. 362-18-0965 – On Point
- D. Docket No. 362-18-1156 – Sambih’s Food Mart

Lottery Agreed Orders

- E. Case No. 2017-1471 – Imperial Food Mart
- F. Case No. 2018-177 – Star Stop 50

Lottery License Revocation and/or Denial Cases

- G. Docket No. 362-17-5926 – Tulson Corner Mart (Default)

Bingo Agreed Orders

- H. Case No. 2017-720 – All Star Leasing, Inc. (Lessor)
- I. Case No. 2017-772 – Dallas Rocky Top Enterprises, Inc. (Lessor)
- J. Case No. 2017-1475 – Paul Hassell (Bingo Worker)
- K. Case No. 2017-1521 – Rachel Hill (Bingo Worker)
- L. Case No. 2018-157 – American Gi Forum Miguel Hernandez Memorial

Bingo License Revocation and/or Denial Cases

- M. Docket No. 362-17-5424.B – Amvets Post 52, Inc.
- N. Docket No. 362-18-0243.B – Pharr Crime Stoppers, Inc.
- O. Docket No. 362-18-0728.B – Dallas County REACT, Inc. (Default)

Other

- P. Nunc Pro Tunc Order – Regarding December 7, 2017 adoption of amendments to 16 TAC §401.160 (Standard Penalty Chart)

XII. Public comment.

XIII. 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 the Charitable Bingo Operations Director pursuant to §551.074 of the Texas Government Code.
- B. To deliberate the duties of the General Counsel and/or the Human Resources Director pursuant to §551.074 of the Texas Government Code.

Deanne Rienstra, Special Counsel

J. Winston Krause, Chairman

J. Winston Krause, Chairman

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 and potential litigation regarding Fun 5's Scratch Ticket Game #1592, including Travis Co. District Court Cause No. D-1-GN-14-005114, Third District Court of Appeals Cause No. 03-16-00172-CV (Steele, et al. v. GTECH Corp.); and Dallas Co. District Court Cause No. DC-14-14838, Fifth District Court of Appeals Cause No. 05-15-01559-CV (Nettles v. GTECH Corp. and Texas Lottery Commission).

Julam Investments, Inc. v. Texas Lottery Commission (Travis Co. District Court Cause No. D-1-GN-16-006124)

State of Texas v. Equal Employment Opportunity Commission et al.

Legal advice regarding Texas Government Code Chapters 466 (State Lottery Act) and 467, 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.

XIV. 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 prior to Executive Session.

XV. 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.

J. Winston Krause, Chairman

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Sanchez, Sheila

From: Jamieson, Debbie
Sent: Wednesday, January 31, 2018 12:14 PM
To: Directors; Legal Services; Media Relations
Cc: Austin, Casey; Bland, Angie; Harris, Felicia; Neal, Worlanda; Hendrix, Andrea; Sanchez, Sheila; Zamora, Myra; Villasenor, Melissa; Simpson, MaryBeth; Reinig, Fritz
Subject: 02-08-18 Texas Lottery Commission Meeting
Attachments: 02082018.doc

Good afternoon,

The attached agenda has been filed with the Texas Register. The meeting scheduled for Thursday, February 8, 2018 will begin at 9:00 AM in the TLC Auditorium.

Please don't hesitate to call or email if you have any questions.

Thank you.

Debbie Jamieson
Legal Services Division
(512) 344-5038
Debbie.jamieson@lottery.state.tx.us

Sanchez, Sheila

From: Jamieson, Debbie
Sent: Wednesday, January 31, 2018 12:07 PM
To: Sanchez, Sheila; Simpson, MaryBeth
Subject: FW: S.O.S. Acknowledgment of Receipt
Attachments: 02082018.doc

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

From: TexReg@sos.texas.gov [mailto:TexReg@sos.texas.gov]
Sent: Wednesday, January 31, 2018 12:04 PM
To: Jamieson, Debbie <Debbie.Jamieson@lottery.state.tx.us>
Subject: S.O.S. Acknowledgment of Receipt

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: 02/08/2018 09:00 AM "TRD# 2018002673"

Notice posted: 01/31/18 12:04 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2018002673](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2018002673)

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