



Texas Lottery Commission

June 6, 2019

10:00 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 Commissioner training, including ethics, administrative procedure, and open government laws pertaining to the Texas Lottery Commission.</p>	<p>Robert F. Biard, General Counsel</p>
<p>III. Report by the Bingo Advisory Committee Chairman; possible discussion and/or action on the Bingo Advisory Committee's activities, including removal and appointment of committee members.</p>	<p>William Smith, III, President Bingo Advisory Committee</p>
<p>IV. Report, possible discussion and/or action on the agency's comprehensive business plan pursuant to State Lottery Act §466.028.</p>	<p>Ryan Mindell, Lottery Operations Director</p>
<p>V. Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §402.403 (Licenses for Conduct of Bingo Occasions and to Lease Bingo Premises).</p>	<p>Tyler Vance, Assistant General Counsel</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 the 86th Legislative Session.</p>	<p>Nelda Trevino, Governmental Affairs Director</p>
<p>IX. 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>X. 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>Michael P. Farrell, Charitable Bingo Operations Division Director</p>
<p>XI. 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>XII. Consideration of the status and possible approval of</p>	<p>Robert F. Biard, General Counsel</p>

orders in enforcement cases:

Lottery NSF License Revocation Cases (Default)

- A. Docket No. 362-19-2527 – Neighborhood Food Mart
- B. Docket No. 362-19-2699 – Kuick Check
- C. Docket No. 362-19-2700 – Cap’s Mini Mart
- D. Docket No. 362-19-2702 – Wildcat Donuts #3
- E. Docket No. 362-19-2703 – Super Mart One
- F. Docket No. 362-19-3494 – D Savannah Food & Deli

Lottery Agreed Orders

- G. Case No. 2019-39 – Star Stop 34
- H. Case No. 2019-160 – Star Stop 42
- I. Case No. 2019-442 – Saddlehorn Market

Other Lottery Cases

- J. Docket Nos. 362-18-2320 and 362-18-2321 – Quick Stop and Panther Quick Stop
- K. Docket No. 362-19-0857 – Stephens Country Corner (Motion for Rehearing)
- L. Docket No. 362-19-1517 – Pinehurst Country Store

XIII. Public comment.

XIV. 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 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.
- 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 Tex. Supreme Court Docket No. 18-0159 (Steele, et al. v. GTECH Corp.) and Tex. Supreme Court Docket No. 17-1010 (Nettles v. GTECH Corp. and Texas Lottery Commission);

Julam Investments, Inc. v. Texas Lottery Commission (Travis Co. District Court Cause No.

J. Winston Krause, Chairman

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D-1-GN-16-006124);
State of Texas v. Equal Employment Opportunity Commission, et al. (U.S. Fifth Circuit Court of Appeals Docket No. 18-10638);

State of Texas v. C.D. (On Petition for Review to Texas Supreme Court - Docket No. 18-0808);

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.

Legal advice regarding any item on this open meeting agenda.

XV. 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.

J. Winston Krause, Chairman

XVI. Adjournment.

J. Winston Krause, Chairman

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.

Simpson, MaryBeth

From: Jamieson, Debbie
Sent: Wednesday, May 29, 2019 12:33 PM
To: Sanchez, Sheila; Simpson, MaryBeth
Cc: Biard, Bob
Subject: Correct---FW: S.O.S. Acknowledgment of Receipt
Attachments: 06062019.doc

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Wednesday, May 29, 2019 12:30 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: 06/06/2019 10:00 AM "TRD# 2019003132"

Notice posted: 05/29/19 12:30 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2019003132](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2019003132)

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- II. Report, possible discussion and/or action on Commissioner training, including ethics, administrative procedure, and open government laws pertaining to the Texas Lottery Commission.
- III. Report by the Bingo Advisory Committee Chairman; possible discussion and/or action on the Bingo Advisory Committee’s activities, including removal and appointment of committee members.
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- V. Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §402.403 (Licenses for Conduct of Bingo Occasions and to Lease Bingo Premises).
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- IX. 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.
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- XI. 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.
- XII. Consideration of the status and possible approval of orders in enforcement cases:
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