

Texas Lottery Commission

June 10, 2021

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.</p> <p>Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."</p>	<p>Robert G. Rivera, Chairman</p>
<p>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.</p>	<p>William Trace Smith III, Chairman, Bingo Advisory Committee</p>
<p>III. Report, possible discussion and/or action on proposals for Internal Audit Services (RFP No. 362-2021-0004), including approval of Evaluation Committee Recommendation and Announcement of Apparent Successful Proposer, and approval to enter into contract negotiations.</p>	<p>Mike Fernandez, Administration Division Director</p>
<p>IV. Report, possible discussion and/or action on agency major contracts, including amendment, renewal, or extension of the contracts for Drawing Studio and Production Services.</p>	<p>Mike Fernandez, Administration Division Director</p>
<p>V. Report, possible discussion and/or action on agency prime contracts, including amendment, renewal, or extension of the contracts for Lottery Drawings CPA Services and Risk Review and Compliance Monitoring Services.</p>	<p>Mike Fernandez, Administration Division Director</p>
<p>VI. Report, possible discussion and/or action on agency prime contracts, including the procurements for contracts for Website Hosting Services, Retailer Bonus Payment Management Services, and Document Management Services.</p>	<p>Mike Fernandez, Administration Division Director</p>
<p>VII. Consideration of and possible discussion and/or action, including adoption, on amendments to 16 TAC §403.101 (Open Records), §403.110 (Petition for Adoption of Rule Changes), §403.301 (Historically Underutilized Businesses), §403.600 (Complaint Review Process), and §403.800 (Savings Incentive Program).</p>	<p>Bob Biard, General Counsel</p>
<p>VIII. Report, possible discussion and/or action on revisions to Commission Policy P-002, Division of Responsibilities.</p>	<p>Bob Biard, General Counsel</p>
<p>IX. Report, possible discussion and/or action on lottery claim center operations.</p>	<p>Ryan Mindell, Lottery Operations Division Director</p>
<p>X. Report, possible discussion and/or action on lottery sales and revenue, game performance, new game opportunities,</p>	<p>Kathy Pyka, Controller; Ryan Mindell, Lottery Operations</p>

<p>advertising, promotional activities, market research, trends, and game contracts, agreements, and procedures.</p> <p>XI. Report, possible discussion and/or action on transfers to the State.</p> <p>XII. Report, possible discussion and/or action on the 87th Legislative Session.</p> <p>XIII. 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 the Agency Records Retention Audit Report and an update on the Charitable Bingo Operations Division Ledger Reconciliation Project.</p> <p>XIV. Report by the Acting 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>XV. 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>XVI. 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. 362-21-1323 – Sunshine Corner Stop</p> <p>B. Docket No. 362-21-1405 – Lancaster Smoke Shop</p> <p><u>Lottery Agreed Orders</u></p> <p>C. Case No. 2021-242 – Sammy Food Mart</p> <p>D. Case No. 2021-243 – La Mexico</p> <p>E. Case No. 2021-245 – E-Z Stop Convenience Store</p> <p>F. Case No. 2021-284 – T and Z Food Store</p> <p>G. Case No. 2021-285 – Tejano Mart #519</p> <p>H. Case No. 2021-286 – Stripes No. 38</p> <p>I. Case No. 2021-374 – Texaco Cedar Hill</p> <p><u>Other Lottery Cases</u></p> <p>J. Docket No. 362-21-1607 – Arena Food Mart (Default)</p> <p>XVII. Public comment.</p> <p>XVIII. 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 Acting Charitable Bingo Operations Director, and the appointment and employment of a Charitable Bingo Operations Director, pursuant to §551.074 of the Texas Government Code, including consideration of</p>	<p>Division Director; Lauren Callahan, Media Relations Director Kathy Pyka, Controller</p> <p>Nelda Trevino, Governmental Affairs Director Darlene Brown, McConnell & Jones LLP</p> <p>Tyler Vance, Acting Charitable Bingo Operations Director</p> <p>Gary Grief, Executive Director</p> <p>Bob Biard, General Counsel</p> <p>Robert G. Rivera, Chairman Robert G. Rivera, Chairman</p>
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applications for the Charitable Bingo Operations Director position.

- 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 Travis County District Court Docket No. D-1-GN-14-005114 (Steele, et al. v. GTECH Corp.) and Dallas County District Court Docket No. DC-14-14838 (Nettles v. GTECH Corp.);

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.

- XIX. 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.
- XX. Adjournment.

Robert G. Rivera, Chairman

Robert G. Rivera, 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.

Copy Center

From: Jamieson, Debbie
Sent: Wednesday, June 2, 2021 12:12 PM
To: Sanchez, Sheila; Simpson, MaryBeth
Cc: Biard, Bob
Subject: FW: S.O.S. Acknowledgment of Receipt

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Wednesday, June 2, 2021 12:10 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: 06/10/2021 10:00 AM "TRD# 2021003262"

Notice posted: 06/02/21 12:10 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2021003262](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2021003262)

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- XII. Report, possible discussion and/or action on the 87th Legislative Session.
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- XVI. Consideration of the status and possible approval of orders in enforcement cases:
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Lottery Agreed Orders

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Other Lottery Cases

- J. Docket No. 362-21-1607 – Arena Food Mart (Default)

XVII. Public comment.

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- 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:

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