

Texas Lottery Commission

August 12, 2021

10:00 a.m.

I.	<p>The Texas Lottery Commission will call the meeting to order.</p> <p>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>	Robert G. Rivera, Chairman
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, continuation of the BAC, and the BAC's annual work plan for FY 2022.	William Trace Smith III, Chairman, Bingo Advisory Committee
III.	Report, possible discussion and/or action on proposals for internal audit services (RFP No. 362-2021-0004), including approval to execute contract.	Mike Fernandez, Administration Division Director
IV.	Report, possible discussion and/or action on agency major contracts, including the procurement for the contract for advertising media services.	Mike Fernandez, Administration Division Director
V.	Report, possible discussion and/or action on agency prime contracts, including the procurement for the contract for lottery drawings CPA services.	Mike Fernandez, Administration Division Director
VI.	Report, possible discussion and/or action on agency prime contracts, including amendment, renewal or extension of the contract for internal control system and related services.	Mike Fernandez, Administration Division Director
VII.	Consideration of and possible discussion and/or action, including proposal, on amendments to 16 TAC §401.153 (Qualifications for License).	Kyle Wolfe, Assistant General Counsel
VIII.	Consideration of and possible discussion and/or action, including proposal, on amendments to 16 TAC §401.101 (Lottery Procurement Procedures).	Lea Garey, Senior Contracts Attorney
IX.	Report, possible discussion and/or action on the agency's comprehensive business plan pursuant to State Lottery Act §466.028.	Ryan Mindell, Lottery Operations Division Director
X.	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.	Kathy Pyka, Controller
XI.	Report, possible discussion and/or action on transfers to the State and the agency's budget status.	Kathy Pyka, Controller

XII. Report, possible discussion and/or action on FY 2022 Operating Budget.	Kathy Pyka, Controller
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 approval of the FY 2021 Annual Internal Audit Report and FY 2022 Annual Internal Audit Plan.	Darlene Brown, McConnell & Jones LLP
XIV. 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 Castañuela, Charitable Bingo Operations Director
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.	Gary Grief, Executive Director
XVI. Consideration of the status and possible approval of orders in enforcement cases:	Bob Biard, General Counsel
<u>Lottery NSF License Revocation Cases (Default)</u> A. Docket No. 362-21-2000 – Beni Mart B. Docket No. 362-21-2093 – KG Corner Store C. Docket No. 362-21-2381 – Papa's Market <u>Lottery Agreed Orders</u> D. Case No. 2021-372 – Food Mart E. Case No. 2021-378 – Lucky Food Store #2 F. Case No. 2021-379 – Ramy's Mart G. Case No. 2021-720 – Shop N Fuel H. Case No. 2021-748 – Gilliam's Grocery	
XVII. Public comment.	Robert G. Rivera, Chairman
XVIII. 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: <u>Pending litigation regarding Fun 5's Scratch Ticket Game #1592, including Travis County</u>	Robert G. Rivera, Chairman Robert G. Rivera, Chairman

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.

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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Copy Center

From: Jamieson, Debbie
Sent: Wednesday, August 4, 2021 12:04 PM
To: Simpson, MaryBeth; Zamora, Myra
Cc: Biard, Bob
Subject: FW: S.O.S. Acknowledgment of Receipt

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Wednesday, August 4, 2021 12:03 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.
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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: 08/12/2021 10:00 AM "TRD# 2021004662"

Notice posted: 08/04/21 12:02 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z TRD=2021004662](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z TRD=2021004662)

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Lottery NSF License Revocation Cases (Default)
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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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