

Texas Lottery Commission

February 6, 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, possible discussion and/or action on the FY 2023 Financial Audit.	Sergio Rey, Controller and Kevin Sanford, Engagement Partner
III.	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.	William “Trace” Smith III, Chairman, Bingo Advisory Committee
IV.	Report, possible discussion and/or action on the lottery operations and services procurement.	Anglea Zgabay-Zgarba, Administration Division Director
V.	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
VI.	Report, possible discussion and/or action on transfers to the State and the agency’s budget.	Sergio Rey, Controller
VII.	Report, possible discussion and/or action on the Sunset review process involving the agency.	Ryan Mindell, Deputy Executive Director
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, including the audits of Scratch Ticket Warehouse Operations and Key Vendor System and Organization Controls (SOC) User Entity Control Considerations.	Darlene Brown, Partner, McConnell Jones
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, reports, and special projects.	LaDonna Castanuela, Charitable Bingo Operations Division Director
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.	Gary Grief, Executive Director
XI.	Consideration of the status and possible approval of orders in enforcement cases: <u>Lottery NSF License Revocation Cases (Default)</u> A. Docket No. 362-24-03550 – Humble Express B. Docket No. 362-24-03551 – Fast Fuel C. Docket No. 362-24-04050 – The King Mart D. Docket No. 362-24-04054 – Diamond Food Mart #4 E. Docket No. 362-24-04507 – Shop N Go	Bob Biard, General Counsel

Robert G. Rivera, Chairman

be the subject of discussion and/or action in open 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) workdays prior to the meeting so that appropriate arrangements can be made.

Robert G. Rivera, Chairman

From: [Jamieson, Debbie](#)
To: [Simpson, MaryBeth](#); [Zamora, Myra](#)
Cc: [Biard, Bob](#)
Subject: FW: S.O.S. Acknowledgment of Receipt
Date: Monday, January 29, 2024 12:09:55 PM

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

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Monday, January 29, 2024 12:08 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: 02/06/2024 10:00 AM "TRD# 2024000588"

Notice posted: 01/29/24 12:08 PM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2024000588](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2024000588)

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_NTdlMDBiZWEtNDU1My00NjFkLTg4ZmEtMWIyMmZhYjIxNjd%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. 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.
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- VII. Report, possible discussion and/or action on the Sunset review process involving the agency.
- 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, including the audits of Scratch Ticket Warehouse Operations and Key Vendor System and Organization Controls (SOC) User Entity Control Considerations.
- 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, reports, and special projects.
- 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.
- XI. Consideration of the status and possible approval of orders in enforcement cases:
Lottery NSF License Revocation Cases (Default)
 - A. Docket No. 362-24-03550 – Humble Express
 - B. Docket No. 362-24-03551 – Fast Fuel
 - C. Docket No. 362-24-04050 – The King Mart
 - D. Docket No. 362-24-04054 – Diamond Food Mart #4
 - E. Docket No. 362-24-04507 – Shop N Go
 - F. Docket No. 362-24-04512 – Quick Food Mart
 - G. Docket No. 362-24-04843 – Pop In #1Lottery Agreed Orders

- H. Docket No. 362-24-03751– Babas Drive Way
- I. Case No. 2023-896 – AMT Food and Gas #2
- J. Case No. 2024-28 – Aurora Store 105
- K. Case No. 2024-30 – Monte Carlo Market
- L. Case No. 2024-56 – Neighborhood Food Mart and Gas Station

Bingo Agreed Orders

- M. Case No. 2023-931 – Gregorio Zambrano (Bingo Worker)

Bingo Case

- N. Docket No. 362-24-04058 – American GI Forum Rockport (Default)

XII. Public comment.

XIII. The 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, and consideration of applications for the Executive Director position, 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:

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 Hays County, Justice of the Peace Precinct 1, Place 1, No. S23-055J11 (Angela Lampkin v. Greg Pyles);

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.

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.

XV. Adjournment.

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