



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

COMMISSION MEETING

January 28, 2014

Texas Alcoholic Beverage Commission
5806 Mesa Drive
Austin, Texas 78731

*José Cuevas, Jr., Presiding Officer
Midland*

*Steven M. Weinberg, MD, JD, Member
Colleyville*

*Melinda Fredricks, Member
Conroe*

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AGENDA

REGULAR COMMISSION MEETING

10:00 a.m. – January 28, 2014

**5806 Mesa Drive
Austin, TX 78752**



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José Cuevas, Jr.
Presiding Officer-Midland

Steven M. Weinberg, MD, JD
Member-Colleyville

Melinda S. Fredricks
Member-Conroe

Sherry Cook
Administrator

Tuesday, January 28, 2014

10:00 a.m.

Agenda

1.	Call to Order	José Cuevas, Jr.
2.	Approval of Commission Meeting Minutes of November 19, 2013	José Cuevas, Jr.
3.	Commission Report: Administrator and Agency Activities, Budget Issues , Staff Achievements, Legislative Activities	Sherry Cook
4.	Recognition of Recipients for the 2013 Jose Cuevas, Jr. Gold Star Award	José Cuevas, Jr.
5.	Recognition of Recipient for the 2013 Sherry Cook Leadership Award	Sherry Cook
6.	Recognition of TABC Tenured Employees (Licensing Division, Enforcement Division, Ports of Entry, Audit & Investigations, Business Services Division)	Amy Harrison Ed Swedberg Earl Pearson Karen Smithwick Dexter Jones Shelby Eskew
7.	Reception Honoring Award Recipients & Tenured Employees	José Cuevas, Jr.
8.	Executive Session to Consult with Legal Counsel Regarding Pending and Anticipated Litigation Against the Agency and to Deliberate the Appointment, Employment, Evaluation, Duties of the Position of Administrator (Govt. Code §551.071, §551.074)	José Cuevas, Jr.
9.	Strategic Planning Briefing	Carolyn Beck
10.	New Legislation Pertaining to Open Meetings via Video Conference Call	Emily Helm

11.	Approval of Commission Policy Pertaining to Open Meetings via Video Conference Call	Emily Helm
12.	Approval to Adopt Amendments to Rule §33.13, Process to Apply for License or Permit	Martin Wilson
13.	Approval to Publish Proposed Amendments to Rule §33.31, Voluntary Suspension or Cancellation of a License or Permit and Reinstatement	Martin Wilson
14.	Approval to Repeal Rule §41.72, Invalidation of Stamps	Martin Wilson
15.	Approval to Adopt Amendments to Rule §45.73, Label: General	Martin Wilson
16.	Approval to Adopt Amendments to Rule §45.82, Prohibited Practices	Martin Wilson
17.	Approval to Adopt New Rule §45.140, Verification	Martin Wilson
18.	Petition for Rulemaking from Beer Alliance of Texas Relating to Rule §45.73 & Rule §45.82 and Related Sections (For Action)	Martin Wilson
19.	Public Comments	José Cuevas, Jr.
20.	Next Meeting Date: Tuesday, March 25, 2014	José Cuevas, Jr.
21.	Adjournment	José Cuevas, Jr.

Note: *Items may not necessarily be considered in the order they appear on the agenda. Executive session for advice of Counsel (pursuant to §551.071 of the Government Code) may be called regarding any agenda item. Action may be taken on any agenda item.*

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services (such as interpreters for persons who are deaf, hearing impaired readers, large print, or Braille) are requested to contact Gloria Darden Reed at (512) 206-3221 (voice) (512) 206-3259 (fax). Relay Texas at 1-800-735-2989 (TTY/TDD), at least three (3) days prior to the meeting so that appropriate arrangements can be made.

MINUTES

REGULAR COMMISSION MEETING

10:00 a.m. – January 28, 2014

**5806 Mesa Drive
Austin, TX 78752**



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COMMISSION MEETING MINUTES

January 28, 2014

The Commissioners of the Texas Alcoholic Beverage Commission (TABC) met in Regular Session on Tuesday, January 28, 2014 at the Texas Alcoholic Beverage Commission, 5806 Mesa Drive, Suite 185, Austin, Texas.

**COMMISSIONERS
PRESENT:**

José Cuevas, Jr.
Steven Weinberg, MD, JD

STAFF PRESENT:

Sherry Cook, Administrator

Carolyn Beck, Director, Communication & Governmental Relations
Doris Board, Agent, Waco Enforcement Office
Brian Bond, Lieutenant, McKinney Area Enforcement Office
David Brandon, Director, Project Manager, Information Resources Division
Bernice Burger
Mindy Carroll, Director, Education & Prevention
Anna Contreras, Supervisor, Ports of Entry
Marc Decatur, Major, North Texas Region
Luann Dickerson, Executive Assistant, Executive Division
Loretta Doty, Director, Human Resources Division

Shelby Eskew, Director, Business Services Division
Diana Figueroa, Executive Assistant, Executive Division
Joe K. Fralin, Regional Manager, Ports of Entry
Randy Field, Major, Coastal Bend Region
Thomas Graham, Director, Tax & Marketing Practices
Amy Harrison, Director, Licensing Division
Emily Helm, General Counsel, Legal Division
Joe Iagnemmo, Web Administrator, Information Resources
Division
JoAnn Joseph, Assistant Director, Licensing Division
Dexter Jones, Assistant Chief, Audit & Investigations
Victor Kuykendoll, Lieutenant
Joann Joseph, Assistant Director, Licensing Division
Office
Ricardo Jauregui, Major, Enforcement Division, San Antonio
Vanessa Mayo, Assistant Director, Business Services Division
Mark Menn, Captain, Lubbock Enforcement District Office
Merideth Munoz, Supervisor, Tax & Marketing Practices
Sandra Patton, Attorney, Legal Division
Earl Pearson, Assistant Chief, Enforcement Division

Gloria Darden Reed, Executive Assistant, Executive
Division
Robert Saenz, Chief of Field Operations
Raul Salinas, Lieutenant, San Antonio Enforcement Regional
Office
Sonia Salinas, Sergeant, Arlington Enforcement Regional
Office
James Sloan, Sergeant, Conroe Area Enforcement Office
Karen Smithwick, Director, Ports of Entry Division
Brad Warner, Sergeant, San Antonio Enforcement Regional
Office
Jay Webster, Director, Information Resources Division
Martin Wilson, Assistant General Counsel, Legal Division
Jason Winter, Agent, San Antonio Enforcement Regional
Office
Yohannes Teffera, Assistant Regional Supervisor, Arlington
Regional Audit Office

GUESTS PRESENT:

Robert Armstrong, Legislative Director/General Counsel
Lou Bright, General Counsel, Texas Wine & Grape
Growers Association
M L Calcote, Consultant, Republic National Distributing

Company
James Davis, Beer Alliance of Texas
Rick Donley, President, Beer Alliance of Texas
Jim Dow, Texas Craft Brewer's Guild/Texas Bar and Night
Club Alliance
Doug DuBois, Director of Government Relations, Texas Food
Association
Alan Gray, Executive Director, Licensed Beverage Distributors
Lance Lively, Executive Director, Texas Package Stores
Association
Royce Poinsett, Anheuser-Busch Companies
Robin Sanders, Assistant Attorney General, Office of Attorney
General
Ken Simon, Partner, Locke Lord, Beer Alliance of Texas
Tom Spilman, Executive Vice President, Wholesale Beer
Distributors of Texas
Keith Strama, Attorney, Wholesale Beer Distributors of Texas
Ralph Townes, Vice President, Governmental Affairs, Glazer's
Karen Watkins, Assistant Attorney General, Office of Attorney
General
Stacy Williams, Partner, Locke Lord, Beer Alliance of Texas
Randy Yarbrough, Consultant, Wholesale Beer Distributors of
Texas

CALL TO ORDER

The meeting of the Texas Alcoholic Beverage Commission was called to order at 12:07 p.m. by Presiding Officer José Cuevas. Commissioner Melinda Fredricks was unable to attend the Commission meeting due to inclement weather conditions which caused her reserved flights to be cancelled.

Presiding Officer José Cuevas greeted members of the audience and agency personnel with words of well wishes for a successful, joyful, and with good health throughout of the 2014 year.

APPROVAL OF COMMISSION MINUTES OF NOVEMBER 19, 2013

Presiding Officer José Cuevas called for approval of the Commission meeting minutes of November 19, 2013. Commissioner Weinberg so moved to approve the minutes as written. Presiding Officer Cuevas seconded. The motion carried.

ADMINISTRATOR'S REPORT: ADMINISTRATOR AND AGENCY ACTIVITIES, BUDGET ISSUES, STAFF ACHIEVEMENTS, LEGISLATIVE ACTIVITES

Presiding Officer Cuevas called upon Administrator Sherry Cook to present the Administrator's Report: Administrator and Agency Activities, Budget Issues and Staff Achievements, and Legislative Activities.

After welcoming the Commissioners back to Austin for another Commission meeting Administrator Cook wished them well at the beginning of the 2014 New Year. She enthusiastically begins her report with an update recognizing a historical moment for the Commission. Based on the approval during the last legislative session resources were provided to staff a Seaport located in Galveston and began operations January 4th, collecting the fee for personal importations.

Administrator Cook stated the Seaport operations presented unique challenges. She stated that the traditional staffing hires would not work at the Seaport due to the various arrival schedules for the cruise lines. She stated the idea of hiring temporary staff to work at the Seaport was a huge success in terms of execution. Administrator Cook explained that staff volunteers from the Ports of Entry locations helped train, collect fees and assist the temporary employees. She stated that other executives who lent their support toward the on-site efforts were Commissioner Steven Weinberg, Assistant Administrator Ed Swedberg, Chief Robert Saenz and Major Randy Field.

Administrator Cook commended Director Karen Smithwick and her Ports of Entry team on a job well done. She stated that she has participated in a number of startup programs; however, this by far had been one of the smoothest implementations. She stated that there had been a few complaints about the amount and posting of the fees, however for the most part the customers had a pleasant disposition.

Administrator Cook's presentation highlighted the total amount of \$19,000 in revenue collected from 8 cruise ships from January 4th to January 19th. She anticipates the revenue to level over time.

Administrator Cook will provide a full report of how the Seaports compares with the border bridge locations projected costs and revenue at the next Commission meeting.

Commissioner Weinberg commended Director Smithwick on the organization and teamwork accomplished toward a great opening weekend at the Galveston Seaport. He stated honestly that he was not confident that the operation would work out as smoothly as it did. He commented that he was completely "blown away" on how well it worked out -- it was "fantastic" and Director Smithwick is to be congratulated for running that operation.

Presiding Officer Cuevas asked Administrator Cook if her report will provide a full update of the Agency's budget request as it was presented to the legislators prorated for the four years and the plan to meet those numbers. Administrator Cook answered in the affirmative and stated that one of the objectives will be to view how the collection of fees will stabilize over time. She offered a scenario that a reduction of purchases may occur once a customer realizes a fee is charged upon disembarking, whereas others may view the fee as a miscellaneous cost for their trip and will not be

discouraged of the fee associated with the purchases. She stated this type of activity would be monitored.

Administrator Cook stated that legislature funded the hiring of full-time employees; however the hiring of temporary employees has benefited a savings in Agency resources and has not caused in problems in the operating process. She commented that the hiring of temporary employees had benefited and worked at the Seaport locations, however temporary employees cannot support the operations at the border bridge locations.

Administrator Cook spoke of another exciting time for the Agency with the results of the Survey of Employee Engagement. She briefed the Commission of the purpose of the survey in which every two years employees participate in a survey that measures the organization's effectiveness and how the employees see themselves within that organization. TABC employees completed the survey in October.

Administrator Cook proudly reported that the Agency had an excellent employee participation response rate of 85%. She stated that one of her mantras has been, "silence is not an option" and without employee commitment and buy-in, the Agency cannot build a healthy organization and advance its mission forward – a bi-directional conversation is imperative. Administrator Cook commented that the employee participation signifies that they care about the decisions that are made throughout the Agency from the Commission Board, Executives and Field Operations.

Commissioner Weinberg asked Director Carolyn Beck to introduce her guest. Director Beck introduced her daughter, Ms. Tabitha Beck. Commissioner Weinberg thanked Ms. Beck for sharing her mother with the Agency as she is a vital part of the organization.

Administrator Cook's highlighted survey result information contained in the PowerPoint presentation. She stated that there is a tremendous amount of data within the survey and over the next several months the data will be used to develop the Agency's next strategic plan.

Director Carolyn Beck will forward the Overview of Survey and Summary of Survey of Employee Engagement results to each Commissioner.

In her explanation of the scoring process, Administrator Cook stated a score above 350 suggest that employees perceive the issue more positively than negatively; scores of 375 or higher indicate areas of substantial strength; scores below 350 are viewed less positively; scores below 325 should be of significant concern and addressed immediately. She stated pay and internal communications were two of the constructs in the survey report that scored below 350. Administrator Cook stated that the internal communication construct has been the most difficult construct to overcome during her tenure. She stated that the internal communication issue is up from the 2011 survey and is making strides in the right direction.

Presiding Officer Cuevas inquired if a specific indicator can be identified with the issue of internal communication. Administrator Cook stated that when the overall rating and

details of the survey is examined, the further you move away from headquarters the more the perception is that the communication is not what it should be. She commented that additional efforts are being made through Tri-Regional Workgroups and conference calls through the various structured divisions to discuss divisional/departmental agency decisions that are being communicated from the top down. She stated that not all decisions are readily accepted, but when the decisions are explained and an understanding of why it was decided in that manner, better understanding is achieved.

However, the pay issue is a concern that applies to the civilian employee class. She has charged Human Resources' Director Loretta Doty with the task to lead and develop a Workforce Committee to conduct a market analysis comparing compensation against the market average and explore how the Agency is comparable to other state agencies in the market for comparable positions, the cost of hiring, training and loss of employees to the private sector and other state agencies. Administrator Cook has committed to work toward a civilian employee retention package as a top priority for the upcoming legislative session.

Presiding Officer Cuevas quizzed Administrator Cook if she had the support from the Commissioned Peace Officers (CPO). She answered in the affirmative and commented in the success in the passage of their benefits package during the last legislative session and the Texas Alcoholic Beverage Officers Association (TABOA) are in support for the civilian benefits package during the next legislative session.

Presiding Officer Cuevas commented that the CPOs' support to civilians shows "unity" within the Agency. Administrator Cook concurred and stated that no one in this Agency can do the job alone; it takes everyone's collaboration and commitment across all divisions to get the job done.

Another section of the survey highlighted by Administrator Cook was a section with a score of 375 or higher which indicated substantial strength in the category of fairness in the organization. She commented that this indicator is driven by the atmosphere and ethics displayed beginning with the "Board" and exhibited throughout the Agency. Administrator Cook stated that it is not only important in getting the employees to believe, but also to relate this fairness to the stakeholders as well. She stated that this fairness should not be personality driven, but rather what's right – what's right for Texas – what's good for Texas and what this Agency has been charged to do as a regulator for the alcohol industry. Administrator Cook has high expectations for the shareholders to meet, collaborate and share their input in the strategic planning process.

Presiding Officer Cuevas inquired who completed this section of the survey, did the Agency obtain information from internal employees or external shareholders. Administrator Cook responded that the survey was completed by internal employees. She stated that Director Beck will address the strategic plan in more detail in her report.

Administrator Cook stated that the overall scoring in the survey total "350" or higher with the exception of the "pay" category. She stated that the "Agency really rocks!"

and restated that the “pay” category is the only exception that scored below “325”. She commented that she and the Executive Management Team have jump-started their strategy plan and will address this issue at the next legislative session.

Administrator Cook reintroduced the Tri-Region Workgroup. She briefed the Commission of workgroup’s purpose to assist with the implementation of the last major Agency reorganization. She stated that Tri-Region has played a huge role in improving internal communications throughout the Agency. She outlined some of the workgroup’s recommendations that were identified in the survey of employee engagement:

- Streamline Information Processing
- Pay and Career Opportunities
- Mobile Workforce – Access from anywhere
- Process Improvement
- Develop and Implement Consistent Office Policies

Administrator Cook asked for the Tri-Region Workgroup members in attendance to please stand to be recognized. Presiding Officer Cuevas thanked each member for their continued support and efforts to the Agency.

Commissioner Weinberg stated that from the Tri-Region Workgroup’s recommendations in Administrator Cook’s PowerPoint presentation, 80 percent of it involves technology. He stated that it is obvious that the Agency’s technology is the driving force in its progress. He commended Information Resources Director Jay Webster and asked him to keep up the good work.

Administrator Cook gave “kudos” to Assistant Administrator Ed Swedberg for his commitment identifying current appropriated legislative funding to continue projects necessary to the operations of the Commission and at the same time ensure a deficit created by a funding shortfall was covered.

Administrator Cook stated that Licensing Director Amy Harrison presented legislative changes in the reporting of beer and wine collections to the counties and cities at the Tax Assessor Collectors Association of Texas (TAC) annual meeting in College Station. She advised the Commissioners that the County Judges no longer hear cases on beer applications. They hear cases on protests which have sped up the process.

Administrator Cook announced that with the retirement of Steve Greinert came the promotion of Thomas Graham to the position of Director, Tax and Marketing Practices. She stated that Director Graham’s former position, Supervisor of Marketing Practices was posted, advertised, interviewed and the position was accepted by Ms. Merideth Munoz, formerly in the Office of Human Resources.

In order to relieve an aging server in the Information Resources Division, Administrator Cook stated good news is on the horizon with the process of moving the

Agency's email to a cloud based solution. She commented that this process will help further efforts toward the Agency's mobile workforce.

Administrator Cook spoke on the results of the first quarter performance measurements:

- Exceeded three of eight key measures
(Inspections Conducted, Percent of Licensed Locations Inspected and Average Number of Days to Issue an Original)
- Allowable variance range
(Licenses & Permits Issued, Audits/Analysis Conducted and Audit Compliance Rate)
- Performance Expectations Not Met
(Alcoholic Beverage Containers Stamped and Cigarette Packages Stamped – Both in Ports of Entry)

She stated that Director Smithwick and her team are closely monitoring the activity in the areas where performance measures were not met. She commented that the violence along the border crossings is still a concern; however Director Smithwick has had recent increases at some of the border crossings and will continue to evaluate traffic patterns and staffing to ensure that there are enough resources during peak times to cover specific bridges.

Presiding Officer Cuevas inquired if the months for the next reporting quarter would be October, November and December. Administrator Cook responded that the first quarter months include September, October and November. The month of December that shows an increase is not in the first quarter totals. He inquired what type of traffic is travelling across and back is it the South Texas oil boom or is it family. Administrator Cook stated that Presiding Officer Cuevas raised a good point because for the month of December, known as "Pasano", it was family traffic going back and forth during the Christmas Holidays.

Commissioner Weinberg quizzed Director Smithwick based on the audit findings if a change in staffing at the Laredo bridges caused any significant results. Director Smithwick responded that staffing changes were made at the Laredo bridge site for 2-weeks during the "Pasano" season (24/7). She stated that the employees were allowed to work overtime hours and volunteers worked from other bridge sites to focus during that event.

In addition to Director Smithwick's comments, Southwest Regional Manager Joe Fralin stated that a comparison was made between the time periods of January 1, 2013 through January 12, 2013 and January 1, 2014 through January 12, 2014. He commented that it was determined that there was a percentage increase of approximately 35% (\$75,000) for the time period in question. Director Smithwick concurred with Regional Manager Fralin that a change in the staffing and hours of operation at the bridge location made a difference.

Administrator Cook continued the report with a discussion of the trends in licensed in-state businesses. She stated that measuring from the end of December, the number of licensed businesses operating in the State of Texas has increased 9.4 percent since FY 2010 but has dropped slightly over the past two years.

Presiding Officer Cuevas inquired how the increase in fees for wine and beer affect the census. Administrator Cook and Director Harrison responded that the cost of a permit based on the growth in population drives and impacts their fees and requires a performance bonds. (Bexar, Dallas, Tarrant, and Houston)

Commissioner Weinberg congratulated Director Harrison for the reduction in the number of days it currently takes to issue a permit. He is pleased with the decrease from 72 days to 36 days.

The next slide in Administrator Cook's report focused on trends of businesses by tier, specifically the gains and losses of licensing for in-state. She briefed the Commissioners of losses in the retailers' tier; however gains occurred in the manufacturing tier, a growth rate of more than 13 percent, however the report shows a drop in the growth of licensed in state businesses in 2013 to be less than 1%. Administrator Cook stated it will be monitored closely because if it continues to go into the negative direction, it could signal a change in the projected revenue.

Commissioner Weinberg commented that the Commission cannot control the outcome in loss or gain, what counts is the collection of the Excise Tax. He stated that when the volume of alcohol consumption continues to rise, the Agency continues to collect funds for the state.

Administrator Cook recalled a presentation to the Commissioners attention that detailed an increase in the number and dollar value of published credit law delinquencies – credit purchase delinquencies that remained unpaid at the time of the first D-List publication. She stated that one of the five companies listed was responsible for two-thirds of the total amount of the delinquency. After rule changes were contemplated and proposed to deal with these concerns, a public hearing was conducted to gather input from stakeholders to discuss the issue and to ask for a greater degree of voluntary compliance, compliance increased in a “substantial/highly substantial” manner during the first four months of FY 2014 and the potential economic harm dropped. She gave “kudos” to industry for taking care of their own house.

Presiding Officer Cuevas and Commissioner Weinberg both agreed that the D-List publication is a good business tool used by the Agency.

Commissioner Weinberg had an inquiry about information in December's Administrator Report pertaining to a decline in the revenue collections.

Business Services Director Shelby Eskew responded that the decline in revenue may be attributed to the loss in election locations.

***Administrator Cook's report is supported by a PowerPoint presentation.
(Attachment 1)***

RECOGNITION OF RECIPIENTS FOR THE 2013 JOSÉ CUEVAS, JR. GOLD STAR AWARD

Our employees are the driving force of this agency. They are smart, resourceful and creative. The Gold Star Award - Employee of the Year recognizes exemplary work performance and service – above and beyond the normal high expectations we have for our employees. A Gold Star Award nominee is a role model, always professional and is constantly seeking and applying new knowledge while upholding the Agency's Mission, Vision, Philosophy and Guiding Principles.

The Commission accepted nominations for the 2013 José Cuevas, Jr. Gold Star Award. One civilian and one commissioned peace officer were nominated. The 2013 Civilian Employee of the Year recipient was Ms. Patricia Lugo. Ms. Lugo was unable to attend the Commission meeting due to the inclement weather.



The 2013 Commissioned Peace Officer of the Year recipient was CPO Jason Winter.
(Attachment 3)



Commissioner Steve Weinberg, CPO Jason Winter, Presiding Officer José Cuevas

RECOGNITION OF RECIPIENT FOR THE 2013 SHERRY COOK LEADERSHIP AWARD

The Sherry Cook Leadership Award recognizes a management level employee who exemplifies outstanding leadership and provides exemplary service. The award's purpose is to further the advancement of TABC's Mission and Vision by recognizing those who establish standards of excellence.



Commissioner Steve Weinberg, Supervisor Anna Contreras, Presiding Officer José Cuevas

This year's recipient for the 2013 Sherry Cook Leadership Award is El Paso Ports of Entry Supervisor Anna Contreras. One of award's judging criteria "Provided Good Mentorship" was a key factor in Administrator Cook's selection of Port Supervisor Anna Contreras. She stated that this criteria was pointed out by one of her employees in the nominating recommendation. Administrator Cook stated that "we spend a lot of time talking about session plans, this is where it starts".

RECOGNITION OF TABC TENURED EMPLOYEES (Licensing Division, Enforcement Division, Ports of Entry, Audit & Investigations, Business Services Division)

Presiding Officer Cuevas called for the next agenda item, Recognition of TABC Tenured Employees. Designated Executives, Division Directors, and Assistant Chiefs were asked to recognize their respective employees, read the employees' bios, and present the employees awards. Administrator Cook announced that due to the inclement weather, some employees were unable to attend the meeting, however present or absent the employees were recognized.

Licensing Division



Yvette Price – 20 Years

Yvette Price began her career with the TABC in 1993 as a secretary in Fiscal Services in Austin. She promoted to an administrative technician (LPS) in 1995 assigned to San Antonio's Enforcement Division. In 1996, she graduated from the Bexar County Police Officer Academy and joined the Live Oak Police Department as a Reserve Peace Officer. In 1999, Yvette became an Agent in Fort Worth, and performed many additional duties, including acting as Field Training Officer and Education Liaison, and providing licensing oversight. In 2009, she promoted to Licensing Supervisor for the Border Region – District 5 - San Antonio. She is one of the original Tri-Regional Workgroup members, and holds a TCLEOSE Basic Instructor's Certification and TCLEOSE Advanced Peace Officer Certification. Yvette is married to Ronald Price and has two handsome sons Ronald III – 27 yrs. old and Daegen – 22 yrs. old.



Julie Ross – 20 Years

Julie Ross began her career with TABC in the Licensing Division in 1990 as a Clerk. In 1991 Julie married and left the agency when she moved to California, where her husband, Scott, served our country in the U.S. Marine Corp. The Licensing Division was happy to see her return in 1994 and since that time she has risen through the ranks to her current position of Management Analyst III. Julie was recognized as "Employee of the Year" in 2006. Over the years Julie processed every type of license application, originals, renewals and supplementals. She has worked on many special projects including the migration from M204 to LicenseEase, the upgrade to Versa Regulation, Versa Online and implementation of legislative changes. Her knowledge of the TABC code, our computer systems and how they relate to the Licensing process is a true asset to the division and the agency. Julie enjoys and values time spent with her wonderful family.



Kim Hilton – 30 Years

Kim Hilton's employment with the TABC began December 1, 1979 in the file room at the Houston District Office. She feels that was a great place to start because it provided her the opportunity to learn about all the different types of permit and licenses. Kim was blessed to have had great Supervisors who encouraged and mentored her which gave her a chance to move up within the Agency. Kim held positions from File Clerk, to Secretary, to Administrative Technician, to Accounts Examiner and her current position title of Licenses & Permits Specialist; all within the last 30 years. Kim's passion is reading and she loves old movies.



Shaun Jordan – 30 Years

Shaun Jordan began his career with TABC in 1983 in the Licensing Division. He assisted with the implementation of TABC's second mainframe system TABC utilized until 2005. Since that time Shaun has been instrumental in developing, testing, and implementing many of TABC's latest technologies including: LE/VR/VO, File Track/Imaging. Shaun was a supervisor at headquarters in Licensing for over 18 years. In 2009 he brought his knowledge and experience to the Licensing Resource Support Team and acted in many capacities including training coordinator for the division. In March of 2011 Shaun transferred to the Austin District Office as Acting Licensing Supervisor until he was promoted to the Licensing Supervisor, November 1, 2011. Shaun is a graduate of the University of Texas where he acquired his Bachelor of Arts degree and attended graduate business school. He is a native of Austin and has served on numerous civic advisory boards.

Field Operations



Robert Saenz – 20 Years

Chief Saenz has been employed with TABC since 1993 and has been stationed in Galveston, Del Rio Outpost, Odessa, Houston and Austin. He has been in Austin since 2004. Robert graduated from Texas State University with a degree in Criminal Justice. Immediately after graduating from college, Saenz was a Patrolman and Detective with the Del Rio Police Department. Robert holds a Masters Peace Officers Certificate and has been a licensed TCLEOSE instructor since 1997. He graduated from the Governor's Senior Management Development Program.

Enforcement Division



Brian Bond – 20 Years

Lieutenant Brian Bond joined the TABC as an agent trainee stationed in the Corpus Christi office in September 1993. He later worked with the Waco District office as Sergeant. In January of 2008, Brian transferred to Region 1 to join the Amarillo District office. He transferred to the McKinney office in March of 2013. He holds a Master Peace Officer Certification and is a graduate of the University of Texas at San Antonio with a bachelor's degree in criminal justice.



Bernice Burger – 20 Years

Bernice Burger started her career in law enforcement in 1989 with the Austin County Sheriff's Office. She started with TABC on October 1, 1993, and was stationed in the Beaumont District Office. After 2 years, she transferred to the Richmond Outpost. She was assigned to her own outpost in Sealy in 1998 and was the first female in TABC to work in a 1 person outpost. Bernice has a 21 year old daughter who is a senior at Sam Houston State University.



Sonia Salinas – 20 Years

Sonia started her career with the Texas Alcoholic Beverage Commission in December 1992, with the Ports of Entry as an Inspector at the Hidalgo Ports of Entry in Hidalgo, Texas. Sonia transferred to the Enforcement Division in May 1995. As an Agent, Sonia has been stationed in the Corpus Christi, McAllen and Richmond offices. Sonia promoted to Sergeant in July 2012, and was stationed in the Houston, Coastal Bend Regional Office and is now stationed at the Arlington, North Texas Regional office. Before coming to TABC Sonia worked with the Texas Department of Criminal Justice Institutional Division as a Correctional Officer. In 1991, Sonia earned her Bachelor's Degree in Criminal Justice from the Texas Pan American University in Edinburg, Texas. During her time in college, Sonia completed her internship in McAllen, TX with the Texas Alcoholic Beverage Commission. Sonia holds a Master Peace officer Certificate and a Basic Instructor Certificate. Sonia is certified by TCOLE as a Field Training Officer and Firearms Instructor. Sonia enjoys barbequing, fishing and spending time with family and friends.



Doris Board – 25 Years

Senior Agent Doris Board graduated from the police academy in 1984, working for police agencies in the McLennan County area before beginning her career as an Enforcement Agent with TABC on January 1, 1988. Agent Board is currently stationed at the Waco Area Office and is a member of Texas Municipal Police Association, Member of Texas Women in Law Enforcement, Texas Alcoholic Beverage Commission Officers Association and Texas Narcotic Officers Association. Agent Board is a certified Advanced Handwriting Analyst and holds a Master Peace Officer License, an Instructor Certification, and a Telecommunications Operator from the Texas Commission on Law Enforcement Officer Standards and Education. Agent Board serves as an instructor at the McLennan County Community College Policy Academy in Waco and teaches several curriculums to various law enforcement agencies in the North Central Texas area. Doris is married to Shawn Board, her husband of 20 years, and they have one daughter, Katelyn.



Craig Bobo – 25 Years

Craig Bobo began his career with the TABC in 1987. Agent Bobo has contributed to the success of the agency by participating in many initiatives and duties. Among those are his time involved with the evidence review committee, the policy review committee and being a fitness coordinator. He is currently assigned to the Wichita Falls office. Prior to working for the Commission, Craig was an investigator for the Texas Department of Criminal Justice and a student at Sam Houston State University. Craig graduated from Sam Houston State University in 1987. Craig was awarded the Allan Shivers Jr. employee of the year award in 2005 and was nominated again in 2011.



Richard "Jeff" Lashbrook – 25 Years

Richard Lashbrook was hired by the TABC, October 17, 1988, as a Clerk III/Radio Tech., and worked at the Radio Shop/Warehouse that was located in Pflugerville. In September 1994, while performing his job duties during the day, Jeff put himself through the Central Texas College - Central Texas Regional Academy, "night school academy" and obtained a Certified Peace Officer License in early March 1995. In September 1995, Jeff was hired as an agent and transferred to the Ft. Worth District Office. In September 2004, Jeff transferred to the Austin District Office,

where he is currently stationed. Jeff has also worked in the Georgetown Outpost. Jeff and his wife Stacy have been married for 23 years (and still counting) and have 3 beautiful children: Hunter, Paige, and Robyn. Jeff currently holds an Advanced Peace Officers Certification from TCLEOSE.

Ports of Entry



Alex De La Garza – 20 Years

Alex De La Garza started his career with TABC on December 15th 1990 at the Hidalgo Port of Entry as a Taxpayer Compliance Officer I. After 5 years with the TABC Mr. De La Garza accepted a position with the U.S. Customs at the Hidalgo Port of Entry. On February 23, 1998, Mr. De La Garza returned to work for the TABC Hidalgo POE. After 2 years of exceptional service, he was promoted to District Port Supervisor of the Eagle Pass District. Following a year of service in Eagle Pass, Mr. De La Garza transferred to Hidalgo as the District Port Supervisor. In February 2011, he was promoted to Regional Manager over the Rio Grande Valley Region covering the Brownsville, Progreso, and Hidalgo Districts. In December 2013, Mr. De La Garza chose to return to the Progreso POE where he continues to provide exemplary service to the TABC and our customers. Mr. De La Garza is a graduate from the University of Texas Pan American and holds a Degree in Business Administration.



Gregorio Cortez – 25 Years

Mr. Gregorio Cortez started his career with TABC in Del Rio, Texas as a Taxpayer Compliance Officer on January 1, 1987. Mr. Cortez ambitious and anxious to learn as much as possible and as soon as possible accepted a position in 1989 with the State Comptroller's Office as a State Tax Account Examiner in Austin, Texas. In May 1990 Mr. Cortez decided to return to TABC and accepted a position in Progreso, Texas as a Taxpayer Compliance Officer. With the desire to gain experience from another port of entry, Mr. Cortez transferred to the Hidalgo District in July of 1991, and remained there until he transferred to the Laredo Port of Entry in 1995. On November 1, 2013, after much hard work and dedication to the Ports of Entry Division, On November 1, 2013, Mr. Cortez was promoted to Assistant Port Supervisor of the Laredo District Port of Entry. Mr. Cortez enjoys spending time with his lovely wife, Lily, and his two children, Cross and Alesandra.



Sylvia Hernandez – 25 Years

Sylvia Hernandez began employment as a Port of Entry Inspector I in the El Paso Port of Entry on January 5, 1989. Ms. Hernandez has been stationed at the El Paso port of entry her entire career and currently holds the title of Taxpayer Compliance Officer. She works closely with US Customs Border Protection, and Border Patrol. Before coming to TABC Ms. Hernandez worked for the El Paso Independent School District. Ms. Hernandez has been happily married for 25 years to her husband David, they have two beautiful daughters: Holly and Danielle.



Carlos Santiago – 25 Years

Carlos Santiago was employed with TABC on April 1, 1988 as a Ports of Entry Inspector at the El Paso Port of Entry. In 1992 he transferred to Hidalgo where he is currently stationed. Mr. Santiago was promoted to Assistant Port Supervisor of Hidalgo Port of Entry and is still in that capacity today.

Audit and Investigations



Mauro Longoria – 25 Years

San Antonio, Auditor, Mauro Longoria, originally started work with the Texas Alcoholic Beverage Commission at the El Paso District Office on March 8, 1976 as a Mixed Beverage Tax Auditor. Mauro worked 5 years in the El Paso District Office, then transferred to San Antonio District Office for 3 years, and followed by transferring to the Corpus Christi District Office for an additional 10 years before transferring to the Comptroller of Public Accounts on January 4, 1994. Mauro worked at the Comptroller of Public Accounts Audit Division in the Corpus Christi Office from January 4, 1994 until he retired on August 31, 2003. Mauro was re-hired with the Comptroller of Public Accounts on June 1, 2004 mainly to work on Mixed Beverage Gross Receipts Tax audits, Sales & Use Tax and Unclaimed Property of local businesses. On May 1, 2006, Mauro was re-hired with the Texas Alcoholic Beverage Commission as a Compliance Auditor and assigned to the Corpus Christi District Office. In 2009 Mauro transferred to the San Antonio District Office as a

Compliance Auditor. Mauro has over 37 years of Service to the State of Texas. Mauro has been married to his beautiful wife, Alicia, for over 43 years. They have three daughters: Laura, Jennifer, and Veronica and four grandchildren.



John "Randy" Norwood – 45 Years

John Norwood was employed by TABC September 23, 1968, shortly after receiving a Bachelor's degree from North Texas State University. After about a month of training at headquarters, he transferred to Houston as an Auditor and was stationed in Houston for about two and a half years. Mr. Norwood transferred to Amarillo in the summer of 1971 and was stationed in Amarillo for about eight years. In December of 1978 he promoted to Auditing Supervisor and transferred to the Longview office. John served as the Auditing Supervisor for 15 years until the gross receipts tax function was transferred to the Comptroller in 1994. Mr. Norwood has served as Compliance Officer in Longview since that time and retired from TABC in June 2002. He was rehired that same year as an Auditor in the Longview office where he is still employed today. John is from Corsicana, TX. A most significant focus in his life is his faith and family. He is married to wife, Kathy and they have two daughters, Laura and Josie and two sons, David and John.

Business Services Division



Roy Hale – 30 Years

A 31-year veteran of the Texas Alcoholic Beverage Commission, Mr. Hale first joined the TABC after graduating college in 1978 as an administrative technician in what is now the TABC's Business Services Division. Rising to Chief of Purchasing & Supply Services, he left the agency in 1983 for employment in the private sector. Mr. Hale returned to the TABC in 1987 to help organize and then manage the agency's Seller/Server Training Program. In 1989, he was assigned to the Enforcement Division to assist with program planning and to oversee the Division's program evaluation processes. In 2008, he returned to BSD as a senior-level planner with responsibility for agency performance evaluation and reporting. He continues in that role today. A two-time graduate of what is now Texas State University – San Marcos (BBA – 1978, MPA – 1993), he has served as a member of that university's MPA Advisory Board, as an officer of the CenTex Chapter of the American Society for Public Administration. Mr. Hale is married, the father of two adult sons, and the proud grandfather of two boys, ages 3 and 10, and as a volunteer adult leader for his sons' Boy Scout Troop.

Commissioner Weinberg concurred with the comments of Presiding Officer Cuevas and Administrator Cook that there are a great bunch of employees that work at TABC. He stated that it is equally as important to emphasize on the stability of the employees at the Agency. He stated that HR director's duties are interviewing and hiring people but when you can keep employees and not have to rely upon you and your staff, time, money, efforts and everything else that goes into hiring is a real feather in the cap of the Agency. Commissioner Weinberg stated that the Agency does a good job in retaining its employees; therefore it makes good sense to try to get the civilians a better compensation package. He stated that it would not only be great for the employees but also a great testimony of the leadership that keeps them at the Agency.

Presiding Officer Cuevas agreed with Commissioner Weinberg's of getting a better compensation package for the civilian employees. He commented that the employees have been through "thick and thin" times with the Commission and the organizational changes that have occurred in the past years.

RECEPTION HONORING AWARD RECIPIENTS & TENURED EMPLOYEES

Presiding Officer Cuevas announced that a reception honoring the Agency's award recipients and tenured employees would take place in the foyer. The Commission meeting was recessed for the reception.

EXECUTIVE SESSION TO CONSULT WITH LEGAL COUNSEL REGARDING PENDING AND ANTICIPATED LITIGATION AGAINST THE AGENCY AND TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, DUTIES OF THE POSITION OF ADMINISTRATOR (Govt. Code §551.071, §551.074)

Presiding Officer Cuevas announced the regular open session of the Texas Alcoholic Beverage Commission will be recessed at this time, 1:42 p.m., January 28, 2014 and an executive session will be held to consult with Legal Counsel regarding pending and anticipated litigation against the Agency and to discuss the duties, responsibilities, and evaluation of the Administrator (Govt. Code §551.071, §551.074)

The Texas Alcoholic Beverage Commission has concluded its Executive session and is now in open regular session. The date is January 28, 2014 and the time is 2:25 p.m. No final action, decision or vote was made in Executive session.

APPROVAL TO ADOPT AMENDMENTS TO RULE §33.13, PROCESS TO APPLY FOR LICENSE OR PERMIT

Presiding Officer Cuevas called upon Assistant General Counsel Martin Wilson to present the next agenda item, Approval to Adopt Amendments to Rule §33.13, Process to Apply for License or Permit.

Assistant General Counsel Martin Wilson stated that the rule as amended conforms to the requirements of Senate Bill No. 1035, 83rd Legislature, Regular Session, which amended Alcoholic Beverage Code §61.09 to require license applications to be filed directly with the commission instead of with the county. He stated that for the purposes of §61.35 (e) of the Alcoholic Beverage Code, the commission will transmit to the county tax assessor 5% of the license fee collected for each issued license in that county and the transmission will occur the month following the issuance of the license. No comments were received. (*Attachment 2*)

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved for the approval to adopt amendments to Rule §33.13, Process to Apply for License or Permit. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say “Aye.” All those opposed say “No.” The “Ayes” have it and the motion passes.

APPROVAL TO PUBLISH PROPOSED AMENDMENTS TO RULE §33.31, VOLUNTARY SUSPENSION OR CANCELLATION OF A LICENSE OR PERMIT AND REINSTATEMENT

Presiding Officer Cuevas called upon Assistant General Counsel Martin Wilson to present next agenda item, Approval to Publish Proposed Amendments to Rule §33.31, Voluntary Suspension or Cancellation of a License or Permit and Reinstatement.

Assistant General Counsel Wilson stated that the Texas Alcoholic Beverage Commission proposes amendments to §33.31 relating to Voluntary Suspension or Cancellation of a License or Permit and Reinstatement to conform it to the requirements of Alcoholic Beverage Code §11.44 as amended by Senate Bill No. 409, 83rd Legislature Regular Session and to clarify procedures related to involuntary inactivation involving either voluntary or involuntary suspensions. He stated that this bill was authored by Senator Kirk Watson.

Assistant General Counsel Wilson stated that comments on the proposed amendment may be submitted in writing or submitted electronically through the commission’s public website. He stated that comments will be accepted for 30 days following publication in the Texas Register.

Assistant General Counsel Wilson announced that the commission will hold a public hearing to receive oral comments on the proposed amendments on Wednesday, March 5, 2014 at 1:30 p.m. in the Commission meeting room at the commission’s headquarters.

Commissioner Weinberg quizzed Assistant General Counsel Wilson on the difference between a public hearing and a stakeholders meeting. Assistant General Counsel Wilson explained that public hearings are just to receive formal oral comments on proposed rules for the record. He stated that the Commission does not respond on

the record and discussion among the attendees is not encouraged. At stakeholders' meetings, attendees have more participation and discussion. (*Attachment 3*)

Commission Weinberg stated that he attended a stakeholders meeting and it was very educational, both procedurally and substantially. He stated that he is interested in attending another stakeholders meeting and it may be a good opportunity to test the video conferencing equipment should he be out of the state.

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved for the approval to publish proposed amendments to Rule §33.31, Voluntary Suspension or Cancellation of a License or Permit and Reinstatement in the *Texas Register* for a 30-day comment period. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say "Aye." All those opposed say "No." The "Ayes" have it and the motion passes.

APPROVAL TO REPEAL RULE §41.72, INVALIDATION OF STAMPS

Presiding Officer Cuevas called for the agenda item entitled, "Approval to Repeal Rule §41.72, Invalidation of Stamps". Assistant General Counsel Wilson stated that the commission recently amended §41.71, Identification Stamps and Local Distributor's Records, to address the requirements regarding identification stamps for both a holder of a local distributor's permit and a retail permittee. He commented that §41.72 contains the same requirements regarding identification stamps for retail permittees that are now found in the amended §41.71 and there is no need to duplicate the requirements for retail permittees in two rules. (*Attachment 4*)

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved for the approval to repeal Rule §41.72, Invalidation of Stamps. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say "Aye." All those opposed say "No." The "Ayes" have it and the motion passes.

Presiding Officer Cuevas read agenda items 15-18 for the Commissioners consideration

Assistant General Counsel Wilson briefed the Commissioners on agenda items 15-18 stating all relate to the issue of what has generally been referred to as "private brands".

Presiding Officer Cuevas opened the floor for public comment on agenda items 15-18.

James Davis, Attorney, representing the Beer Alliance of Texas came forward to address the Commission on agenda items 15, 16, and 18. Mr. Davis stated that the Beer Alliance of Texas agrees with the Commission on agenda items 15, 16, and 18. Mr. Davis discussed how Rule §45.73 and Rule §45.82 weakens the three-tier system. He stated that the amendments proposed by the Beer Alliance do not

substantially change the current prohibitions, but are intended to clarify the prohibited practices. He explained that the Beer Alliance proposes that the restriction on a malt beverage manufacturer from using the trade name or trademark of a retailer be clarified to include trade names and trademarks “of, owned or licensed by or exclusively used by a retailer”, and that the definition of “exclusively” and “exclusion” include “all or substantially all.” Mr. Davis stated that this will put a stop to manufacturers from attempting to circumvent the purpose of the rules by claiming a third-party is the actual owner of a trade name or trademark used by a retailer or making insubstantial or token sales to avoid exclusively selling to one retailer.

Summing up his discussion, Mr. Davis offered the Commission three effective options as a solution from the Beer Alliance of Texas:

1. Throw out the rules and try to figure out what to do next when you have the problem that comes from the blurring of the lines;
2. Keep the rules as it stands, which the Beer Alliance of Texas says is a valid choice;
3. Open up a dialogue, propose a different mix of these rules intended to address the problems in a way that is clear that avoids the hypo technical arguments about what a private brand is as compared to a brand that only uses a precarious label, avoid debates about the irony of what does exclusively really mean and a context to enforce these rules in a fair way, clear way, and constitutional way.

Commissioner Weinberg asked Mr. Davis of his awareness of the current litigation on this issue. Mr. Davis responded in the affirmative and discussed some of the litigation points of the case. Commissioner Weinberg stated he asked for Mr. Davis’ opinion on the outcome of the case. Mr. Davis answered that he thinks that the Commission has good lawyers to argue the case and will win, although one cannot know the outcome of a case until the decision is made in court.

Keith Strama, General Counsel, representing the Wholesale Beer Distributors of Texas came forward to address the Commission. Mr. Strama spoke of his drive to attend the meeting and stated that there were many cars piled up on overpasses, so he thought today was not a day to use the frequently used cliché when arguing of going down a “slippery slope”. He stated that he is at the meeting to discuss one of the fundamental issues and the Commission’s legislative prescribed duties to maintain an orderly market for the State of Texas. He commended Assistant General Counsel Wilson proactive demeanor on this issue and its effect on the industry. Mr. Strama states the main issue in this rulemaking is the “private label” itself. WBDT’s petition wants to amend – delete current (d) and add new (d) to read that no application for label approval and any approved label revoked, on beer, ale and malt liquor if anything of value exchanged between retailer and manufacturer related to the product. He stated that in §5.31 of the Code, the Texas Legislature has authorized the Texas Alcoholic Beverage Commission (TABC) the power to inspect, supervise, and regulate every phase of the business of manufacturing, importing, exporting, transporting, storing, selling, advertising, labeling and distributing alcoholic beverages, and the possession of alcoholic beverages along with the implementation of the State’s goals to protect the health and welfare of its citizens.

Commissioner Weinberg commented that when agenda items are discussed without much controversy as presented by Assistant General Counsel Wilson, neither he nor the Presiding Officer Cuevas “rubber stamp” the agenda items. He stated that he has had discussions with Assistant General Counsel Wilson and general counsel staff before the meeting and made his decision on his motion for approval or disapproval on an item. He commented that under oath he cannot and will not discuss agenda items with the other Commissioners before the meeting. Commissioner Weinberg stated that he enjoyed the presentations and speakers who addressed the Commission and is looking forward to the next Stakeholders meeting.

APPROVAL TO ADOPT AMENDMENTS TO RULE §45.73, LABEL: GENERAL

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved to take no action on the adoption of the amendments to Rule §45.73, Label: General. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say “Aye.” All those opposed say “No.” The “Ayes” have it and the motion passes.

APPROVAL TO ADOPT AMENDMENTS TO RULE §45.82, PROHIBITED PRACTICES

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved to take no action on the adoption of the amendments to Rule §45.82, Prohibited Practices. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say “Aye.” All those opposed say “No.” The “Ayes” have it and the motion passes.

APPROVAL TO ADOPT NEW RULE §45.140, VERIFICATION

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved to take no action on the adoption of the New Rule §45.140, Verification. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say “Aye.” All those opposed say “No.” The “Ayes” have it and the motion passes.

PETITION FOR RULEMAKING FROM BEER ALLIANCE OF TEXAS RELATING TO RULE §45.73 & RULE §45.82 AND RELATED SECTIONS

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved to grant the petition. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say “Aye.” All those opposed say “No.” The “Ayes” have it and the motion passes.

Assistant General Counsel Wilson stated that on January 16, 2014, the Commission was notified that the Beer Alliance of Texas intended to file its own Petition of Rulemaking regarding Rule §45.73 and §45.82 and possible other rules. The Commission was unable to add it to the agenda for this meeting. Assistant General Counsel Wilson

recommended that the Commission grant the Beer Alliance of Texas petition and authorize publication of the proposed rule amendments in the *Texas Register* for comment and he will bring status recommendations on the court case in March.

Commissioner Weinberg asked when the next stakeholders meeting would be held. Assistant General Counsel Wilson responded that the meeting should be two weeks before the March 25th Commission meeting. (*Attachment*)

NEW LEGISLATION PERTAINING TO OPEN MEETINGS VIA VIDEO CONFERENCE CALL

Presiding Officer Cuevas called for agenda item entitled, “New Legislation Pertaining to Open Meetings via Video Conference. General Counsel Emily Helm came forward to give the presentation and asked Information Resources Director Jay Webster to join her for technical support at the presenter’s table.

General Counsel Helm gave a brief overview of the legislation that affected open meeting via conference call and stated that the Commission may or may not want to take action on agenda item #11:

- SB 984 – A meeting of a state governmental body or a governmental body that extends into three or more counties may be held by video-conference call only if the member of the governmental body presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting.

HB 2414 – A member or employee of a governmental body, may participate remotely in a meeting of the governmental body by means of a video-conference call if the video and audio feed of the member’s or employee’s participation, as applicable, is broadcast live at the meeting and complies with the provisions of this section.

- (a-2) A member of a governmental body who participates in a meeting as by Subsection (a-1) shall be counted as present at the meeting for all purposes.
- (b) A meeting may be held by video-conference call only if a quorum of the governmental body is physically present at one location of the meeting, except as provided by Subsection (c).

General Counsel Helm stated that contained in the bills were other added provisions. She explained that some of the added bill provisions were redundant and others contained changes with conditional requirements when engaging in a video-conferencing call.

General Counsel Helm highlighted other provisions and requirements applicable when conducting a meeting via video-conference call. She enlisted the help of Director Webster to explain the technology aspects involved. General Counsel Helm stated

that she and Director Webster met with the Department of Information Resources' general counsel and technology staff and was told to implement the video-conference call is not an easy task. She commented that the implementation requires a dedicated confidential and secured phone line. Using the WebEx as an example, he commented is an open transmission that is not adequately secured. Director Webster recommended a closed network which a piece of equipment designed to control the audio and visual and can be turned on and off at one time.

Director Webster commented that as stated in HB 2414, the Department of Information Resources by rule shall specify minimum of standards for audio and video signals at a meeting held by video-conference call. He stated that the bill reads that the quality of the audio and video signals perceptible at each location of the meeting must meet or exceed those standards. In the statute, the audio and video signals perceptible by members of the public at each location of the meeting described by Subsection (h) must be of sufficient quality so that members of the public at each location can observe the demeanor and hear the voice of each participant in the open portion of the meeting. Director Webster recommended to start off slow in order to put the right switch in place and that is acceptable.

Commissioner Weinberg quizzed General Counsel Helm if a closed session is a requirement during the Commission's Executive Session. General Counsel Helm responded that a closed session is not a requirement to be held during the Executive Session - only if necessary. Referencing TABC's Code, she stated that the commission may hold meeting in Austin, Texas and that has been the Commission's practice. General Counsel Helm explained that wherever the meeting is held, there must be a quorum of members and the posting must be state specifically changes in the location of the meeting.

Presiding Officer Cuevas stated that the Commission has (3) members on its board and to incorporate video-conferencing with the constant absence of members it breaks the strength of the Commission. He stated that his preference is not to consider having meetings via video conference calls.

General Counsel Helm commented that is some confusion surrounding the legalities of video conferencing. She anticipates that during the next legislative session issues associated with video-conferencing will be resolved.

Commissioner Weinberg stated that he agrees with the Presiding Officer that it is an advantage in attending the Commission meeting. He commented that he has experience in participating in many national video-conferencing settings. Under usual circumstances when a member cannot physically attend a meeting, he stated that to video-conference call can be used as an emergency backup. He would discourage the use as a regular procedure.

Commissioner Weinberg thanked General Counsel Helm and Director Webster for a good presentation and stated that he is looking forward to the next Stakeholders meeting.

APPROVAL OF COMMISSION POLICY PERTAINING TO OPEN MEETINGS VIA VIDEO CONFERENCE CALL

Presiding Officer Cuevas called for a motion. Commissioner Weinberg moved to take no action on the approval of Commission policy pertaining to open meetings via video conference call. Presiding Officer Cuevas seconded the motion. Presiding Officer Cuevas stated that a motion was made and seconded. All those in favor say “Aye.” All those opposed say “No.” The “Ayes” have it and the motion passes.

STRATEGIC PLANNING BRIEFING

Presiding Officer Cuevas called for agenda item entitled, “Strategic Planning Briefing” presented by Director Carolyn Beck, Director Communications and Governmental Relations.

Director Beck began her presentation briefing the Commissioners on what is a Strategic Plan. She stated that a Strategic Plan defines what an agency is and intends to be, as well as the principles guiding it.

Director Beck discussed the process as outlined in her PowerPoint presentation for the months of October – February and March – June.

Director Beck’s report is supported by a PowerPoint presentation.
(*Attachment*)

PUBLIC COMMENTS

Presiding Officer Cuevas opened the floor for additional comments before the Commission. No one came forward to address the Commission.

NEXT MEETING DATE: Tuesday, March 25, 2014

ADJOURN

Presiding Officer Cuevas called for a motion to adjourn. Commissioner Weinberg made a motion. Presiding Officer Cuevas seconded. Presiding Officer Cuevas stated that the motion was made and seconded. The motion passes. Presiding Officer Cuevas announced that the meeting was adjourned at 3:46 p.m.

Attachment 1

**Commission Report: Administrator
and Agency Activities, Budget
Issues, Staff Achievements,
Legislative Activities**



Sherry Cook
Administrator

COMMISSIONER
STEVEN WEINBERG, MD, JD

CHAIRMAN
JOSE CUEVAS, JR.

COMMISSIONER
MELINDA S. FREDRICKS



Exciting Time for TABC

Galveston Sea Port
January 4, 2014



Exciting Time for TABC



Total Collected \$18,901.75

Exciting Time for TABC

Survey of Employee Engagement



Overview Of Survey Results



EMPLOYEE ENGAGEMENT

INSTITUTE FOR ORGANIZATIONAL EXCELLENCE

Participation Rate



With this level of engagement, employees have high expectations from Leadership to act on the survey results.

2013: 85% responded

2011: 83% responded

2009 – 85% participation

2007 – 74% participation

2005 – 79% participation

2003 – 51% participation

2001 – 70% participation

1999 – 43% participation

1997 – 63% participation

High Response Rate

means the employees have an investment in the organization, want to see the organization improve and generally have a sense of responsibility to the organization.

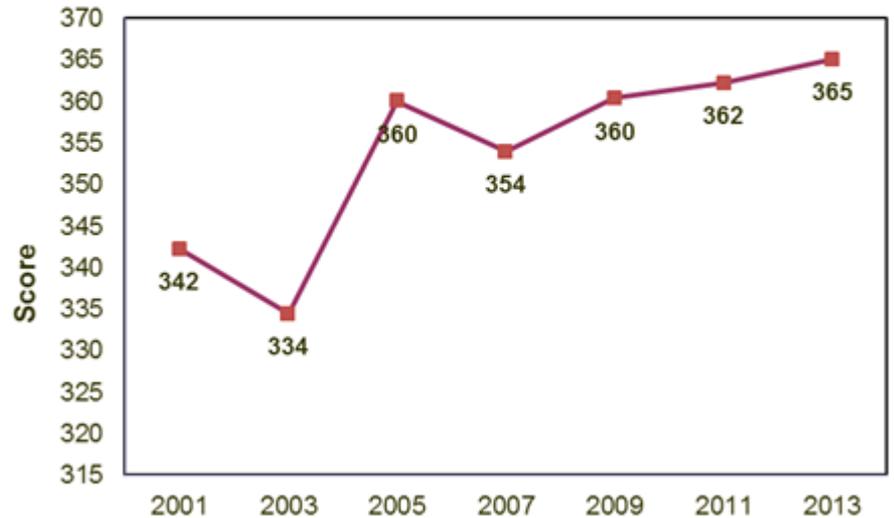
TABC Overall Score: 365

On average, employees answered slightly closer to “Agree” than “Neutral.”

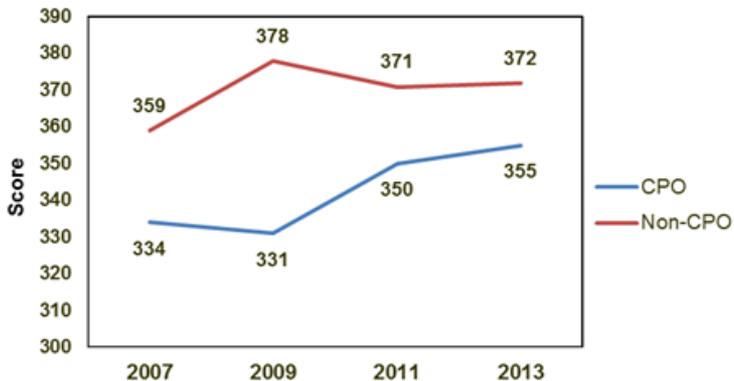


For comparison purposes, overall scores typically range from 325 to 375.

TABC Average Overall Score from 2001-2013 is 354.

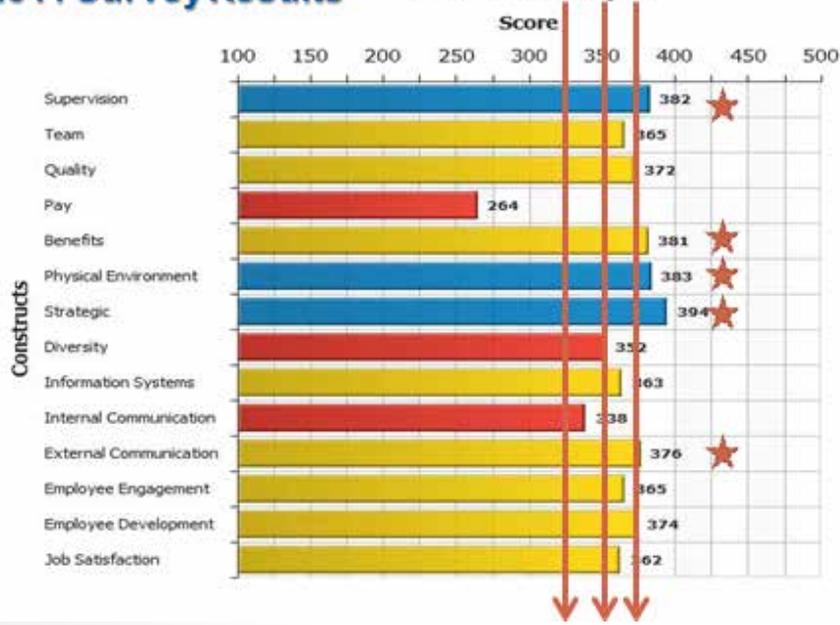


Overall Scores CPO and Non-CPO 2007-2013



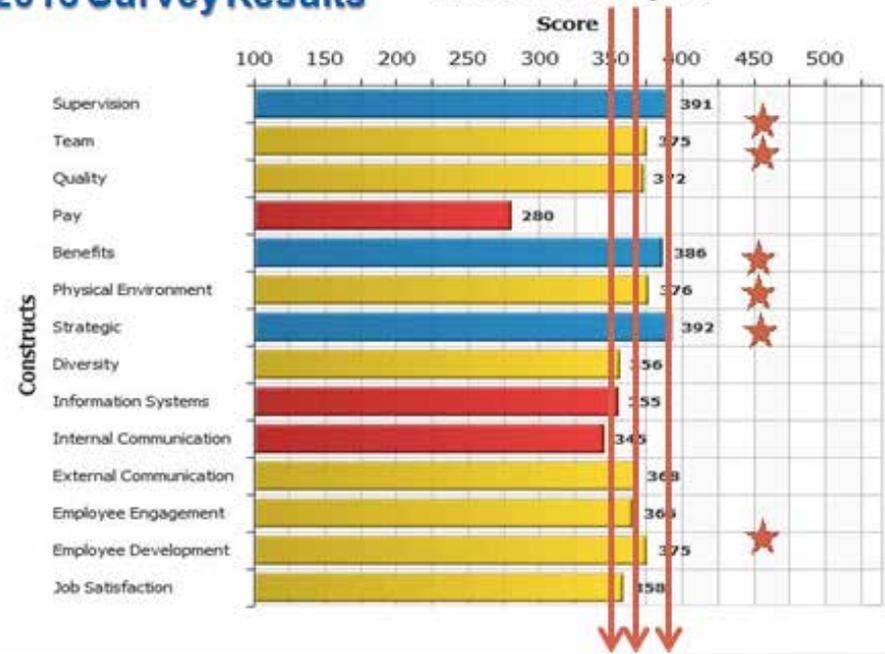
2011 Survey Results

Construct Analysis



2013 Survey Results

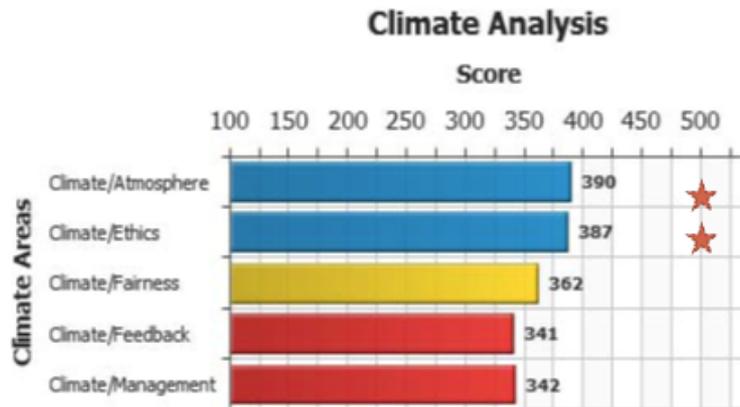
Construct Analysis



This year, six constructs indicated an area of substantial strength (>375) and one a significant source of concern (<325).

Highlights

The climate in which employees work does, to a large extent, determine the efficiency and effectiveness of an organization.



Fairness – 362 (Area of Improvement)

- Fairness was neither a strength or a concern with a score of **362**. However in 2011 it was an area of concern with a score of **331**.
- Fairness measures the extent to which employees feel that they and others are treated fairly.
 - The questions that comprise this aspect are:
 - In general I believe people are treated fairly (i.e. without favoritism).
 - My performance is evaluated fairly.

Next Steps



Using the Survey as a Catalyst for organizational improvement is essential to the survey process.

The survey creates momentum and interest.

Exciting Time for TABC

Loretta Doty Chair - Randy Field Vice-Chair

Members

Oliver Johnson
Nicolas Gutierrez
Yohannes Tefferra
Michael Deans
Randy McCarthy
Shuddell Lindsey
Amanda Collins
Ken Sherman
Stephanie Connelly
Paige McGinty
Todd Talley
Joe Cavazos
Cindy Hart
Shawn Smith
Alfredo Alvarez



Members

Kyle Russell
Bruce Harlan
Roy Hale
Sandra Patton
Leo Sandoval
Reynaldo Santos
Maria Rivera
Elizabeth Wuehrmann
James Sloan
Daniel Reyna
Maria Tonche
Rodolfo Velasquez
Jackie Jackson
Greg Holy
Kim Hilton
Leigh Sosebee

Tri-Region Workgroup

Sherry Cook Executive Sponsor
David Brandon PM/Facilitator

Tri-Regional Workgroup Priority Recommendations

1. Streamline Information Processing
 - Eliminate Duplicate Data Entry (ARTS, DARS, CrisNET, MTA, and Travel).
 - Reduce the Redundancy in Routine Reports (consolidate or eliminate unnecessary reports).
2. Pay and Career Opportunities
 - Improve the Career Ladder.
 - Establish Merit Increases for Outstanding Performance regardless of the Career Ladder.
3. Mobile Workforce - Access from Anywhere
4. Process Improvement
 - Standardize Processes Statewide (e.g. Criminal and Admin Cases).
 - Re-evaluate when a PLAT is necessary.
 - Review and Update the Risk Assessment Process.
 - Automate the Breach and Complaint Reporting Processes.
 - Automate the Management Halt Process.
 - Standardize or Automate the Evidence Room Process.
 - Improve the Process to Re-issue a Permit.
5. Develop and Implement Consistent Office Policies



Updates

- Licensing Director Amy Harrison presented legislative changes as they pertain to counties and cities at the Tax Assessor Collectors Association of Texas (TAC) annual meeting in College Station.
- Merideth Munoz, Human Resources, accepted the position of Supervisor of Tax and Marketing Practices, replacing Thomas Graham.
- IRD is in the early stages of transferring agency email to an Office365 Cloud solution. So far, the server build is complete.



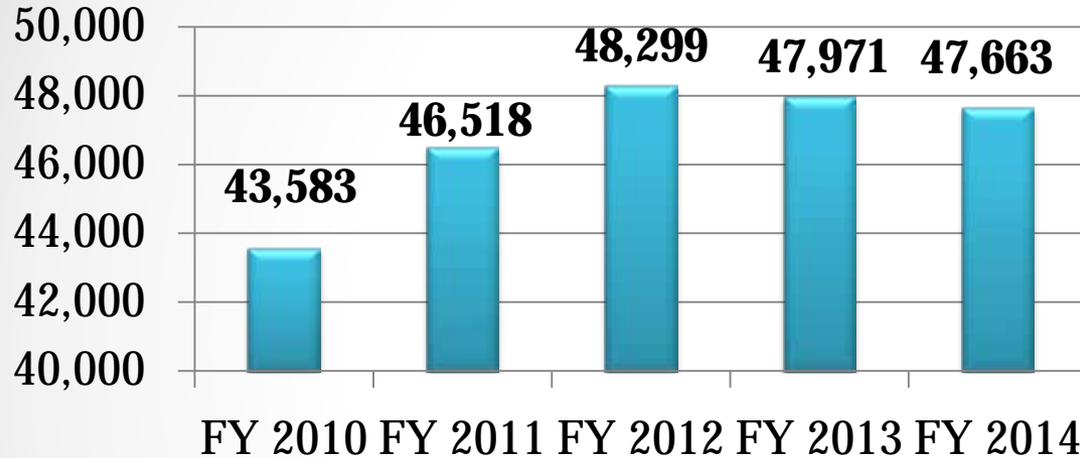
Performance Measurements

Key Output and Outcome Measures FY 2014 - End of 1st Quarter

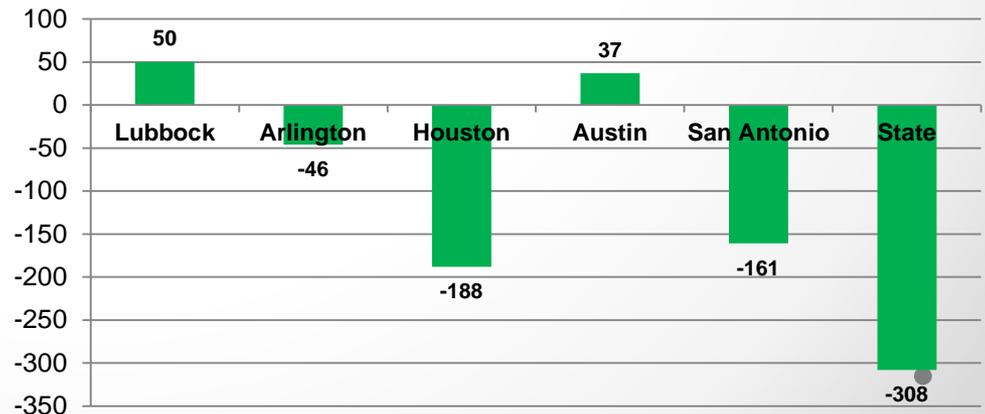
Division/Key Measure	Actual Result	Annual Goal	% Goal Obtained
Enforcement			
Inspections Conducted	24,990	75,200	33.23%
Percent of Licensed Locations Inspected	40.13%	80.00%	50.16%
Licensing			
Licenses & Permits Issued	17,445	72,517	24.06%
Average Number of Days to issue an Original	36.42	44.00	82.77%
Auditing			
Audits/Analyses Conducted	362	1,450	24.97%
Audit Compliance Rate	76.24%	80.00%	95.30%
Ports of Entry			
Alcoholic Beverage Containers Stamped	213,060	1,541,293	13.82%
Cigarette Packages Stamped	86,592	673,300	12.86%

Trends

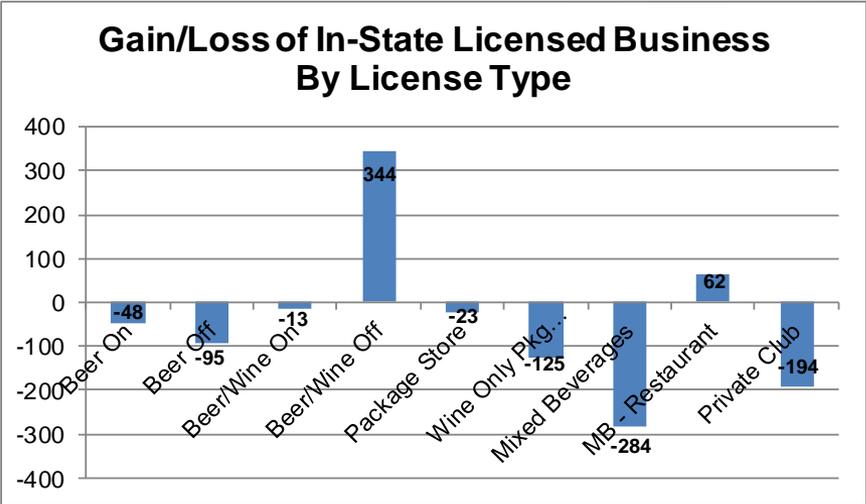
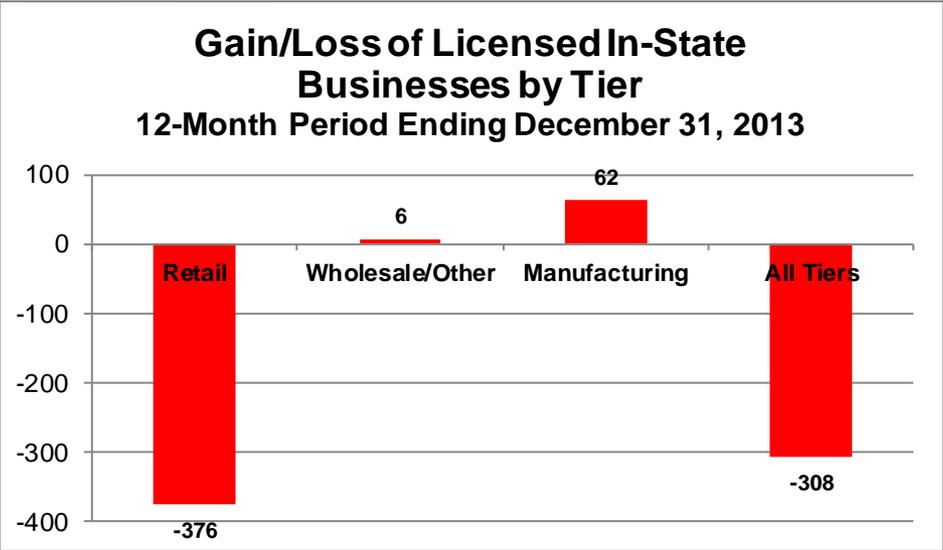
Licensed In-State Businesses At End of December



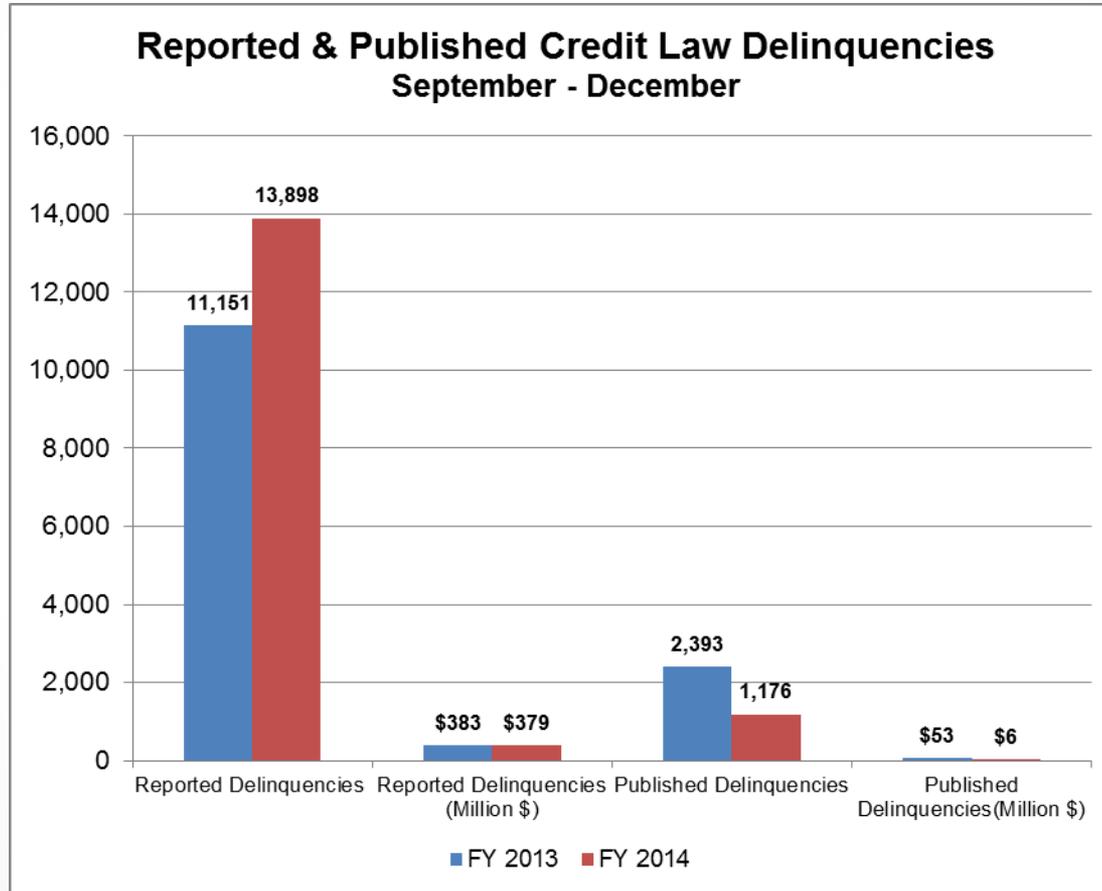
Gain/Loss of In-State Licensed Businesses by District 12-Month Period Ending December 31, 2013



Trends



Credit Law



QUESTIONS



Attachment 2

**Approval to Adopt Amendments to
Rule §33.13, Process to Apply
for License or Permit**

January 28, 2014 Agenda Item 12.

Approval to Adopt Amendments to Rule §33.13, Process to Apply for License or Permit.

The Texas Alcoholic Beverage Commission (commission) adopts amendments to §33.13, relating to Process to Apply for Licenses and Permits, without changes to the text proposed in the October 25, 2013 issue of the *Texas Register* (38 TexReg 7403). No comments were received.

The rule as amended conforms to the requirements of Senate Bill No. 1035, 83rd Legislature, Regular Session, which amended Alcoholic Beverage Code §61.09 to require license applications to be filed directly with the commission instead of with the county. These rule as amended: (1) adds a requirement in paragraph (4) of subsection (b) that an applicant for a license provide proof of newspaper publication as part of the pre-qualification packet; (2) adds subsection (e) to provide that five percent of the license fees collected for each license issued in a county will be transmitted by the commission to the county tax assessor collector in the month following the issuance of the license; and (3) adds a requirement in subsection (c) that an application will be considered incomplete and withdrawn if additional requested information is not timely provided.

The rule is amended pursuant to Alcoholic Beverage Code §5.31, which grants authority to prescribe rules necessary to carry out the provisions of the Code.

§33.13 Process to Apply for License or Permit.

(a) This section relates to any license or permit. The purpose of this section is to clarify the pre-qualification process in subsection (b) of this section and distinguish it from the application process described in subsections (c) and (d) of this section.

(b) Before an application for a license or permit that is required to be certified under §11.37 or §61.37 of the Alcoholic Beverage Code may be filed with the commission, a pre-qualification packet must be completed. A pre-qualification packet is deemed incomplete if it does not contain all required certifications applicable to the type of license or permit sought and for the location requested, and a response to each item requested by the commission in the packet. For purposes of this section, a completed pre-qualification packet is one that contains:

(1) all required certifications signed by the city secretary, where appropriate, and the county clerk that the location for which the license or permit is sought is in a "wet" area for such license or permit and is not prohibited by charter, by ordinance, or by valid order in reference to the sale of any alcoholic beverage allowed by the license or permit;

(2) all other applicable certifications signed by the city secretary, where appropriate, and the county clerk that are in the pre-qualification packet prescribed by the commission;

(3) the required certification by the Comptroller of Public Accounts that the person submitting the packet holds, or has applied for and satisfies all legal requirements for, the issuance of a sales tax permit;

(4) proof of publication of notice of the application, if required by §11.39 **and 61.38** of the Alcoholic Beverage Code; and

(5) a response to each item requested by the commission in the packet.

(c) A person or entity may file an application with the commission by submitting all forms, documents and information prescribed by the commission in accordance with the practices, policies, and standards relating to the processing of applications for licenses and permits. If a pre-qualification packet is required by subsection (b) of this section, the packet must be completed before an application is filed. The commission shall process the application to determine whether the application is in compliance with all provisions of the Alcoholic Beverage Code and rules of the commission or whether there is legal reason to deny the application. **If additional documentation or information is requested and not provided within the requested period of time, the application will be considered incomplete and withdrawn.**

(d) On completion of its processing pursuant to subsection (c) of this section, the commission shall inform the applicant that the application:

(1) may be filed with the county judge as mandated by §61.31 of the Alcoholic Beverage Code;

(2) has been referred to the State Office of Administrative Hearings;

(3) is granted; or

(4) is refused.

(e) For purposes of §11.391 and §61.381 of the Alcoholic Beverage Code, a notice sign must be posted for 60 days before the date the permit or license is issued.

(f) A notice sign is required for purposes of §11.391 and §61.381 of the Alcoholic Beverage Code unless a license or permit authorizing the on-premises consumption of alcoholic beverages has been active at the requested location any time during the 24 months immediately preceding the filing of the application. For purposes of this subsection, an application is filed on the date a completed application packet is received by the commission.

(g) For the purposes of §61.35(e) of the Alcoholic Beverage Code, the commission will transmit to the county tax assessor 5% of the license fee collected for each issued license in that county. This transmission will occur the month following the issuance of the license.

Attachment 3

**Approval to Publish Proposed
Amendments to Rule §33.31,
Voluntary Suspension or
Cancellation of a License or Permit
and Reinstatement**

January 28, 2014 Agenda Item 13.

Approval to Publish Proposed Amendments to Rule §33.31, Voluntary Suspension or Cancellation of a License or Permit and Reinstatement.

The Texas Alcoholic Beverage Commission (commission) proposes amendments to §33.31, relating to Voluntary Suspension or Cancellation of a License or Permit and Reinstatement, to conform it to the requirements of Alcoholic Beverage Code §11.44 as amended by Senate Bill No. 409, 83rd Legislature, Regular Session and to clarify procedures related to involuntary inactivation involving either voluntary or involuntary suspensions.

Senate Bill No. 409 amended Alcoholic Beverage Code §11.44 to create an exception to the general prohibition against the commission issuing a license or permit for a location when an action to suspend or cancel the current license or permit at that location is pending. The exception applies when the current licensee or permittee at that location has been finally evicted from the premises under a final, nonappealable court judgment.

Section 33.31 was also reviewed under Government Code §2001.039, which requires each state agency to periodically review and consider for readoption each of its rules. The commission has determined that the need for the rule continues to exist but that it should be amended to address procedures related to and consequences of both voluntary and involuntary administrative inactivation. In addition, the rule should be amended to reflect the prohibition in Alcoholic Beverage Code §102.32 on voluntary suspensions and cancellations where the license or permit holder is delinquent in the payment of an account for liquor under that code section.

Martin Wilson, Assistant General Counsel, has determined that for each year of the first five years that the proposed amendments will be in effect, there will be no fiscal impact on state or local government attributable to the amendments.

The proposed amendments will have no fiscal or regulatory impact on micro-businesses and small businesses or persons regulated by the commission. There is no anticipated negative impact on local employment.

Mr. Wilson has determined that for each year of the first five years that the proposed amendments will be in effect, the public will benefit because the agency's rules will conform to statutory requirements and commission procedures will be more transparent.

Comments on the proposed amendments may be submitted in writing to Martin Wilson, Assistant General Counsel, Texas Alcoholic Beverage Commission, at P.O. Box 13127, Austin, Texas 78711-3127, or by facsimile transmission to (512) 206-3280. They may

also be submitted electronically through the commission's public website at http://www.tabc.state.tx.us/laws/proposed_rules.asp. Comments will be accepted for 30 days following publication in the Texas Register.

The staff of the commission will hold a public hearing to receive oral comments on the proposed amendments on Wednesday, March 5, 2014 at 1:30 p.m. in the commission meeting room at the commission's headquarters, which is located at 5806 Mesa Drive in Austin, Texas.

The proposed amendments are authorized by Alcoholic Beverage Code §5.31, which grants authority to prescribe rules necessary to carry out the provisions of the Code, and by Government Code §2001.039, which requires the agency to periodically review its rules to determine whether the need for them continues to exist.

The proposed amendments affect Alcoholic Beverage Code §§5.31, 11.44 and 102.32, and Government Code §2001.039.

§33.31 Administrative Inactivation, Voluntary Suspension or Cancellation of a License or Permit and Reinstatement and Renewal of a License or Permit.

(a) This rule implements Alcoholic Beverage Code §§11.44 and 102.32(d-1), and clarifies procedures related to administrative inactivation involving either voluntary or involuntary suspensions. The commission may without a hearing inactivate and place in suspense a license or permit.

(1) ~~— This may be accomplished by submission of an affidavit from the landlord or landlord's representative, in a form prescribed by the administrator, indicating that the premises has been abandoned and the permittee or licensee no longer has any interest in the premises; or~~

~~(2) — by submission of the actual license or permit; or~~

~~(3) — by a sworn statement submitted by the licensee or permittee requesting the license or permit to be placed in suspense, including a statement that the license or permit is lost or the permittee or licensee is unable to surrender it.~~

(b) Administrative inactivation refers to the placing of a license or permit in administrative suspense under this rule and without a due process hearing. During administrative inactivation (whether voluntary or involuntary), the license or permit holder may not engage in any authorized activities allowed under that license or permit. The term of the license or permit will not be tolled during administrative inactivation but will expire on the date indicated on the face of the license or permit. Any time after a permit or license has been activated and placed in voluntary suspense and before it expires, a permit or license may be reinstated if the necessary qualifications and requirements are met. A reinstatement application must meet the same requirements and qualifications as an applicant for an original permit or license except the permit or license fee for the remainder of the permit or license year is not required.

(c) Unless otherwise disqualified or provided for by this rule, the commission may, without a hearing, administratively inactivate and place in administrative suspense a license or permit upon receipt of an affidavit by the landlord, on a form prescribed by the administrator, that the premises has been abandoned by the licensee or permittee and that the licensee or permittee

no longer has any interest in the premises. A license or permit may be renewed while placed in suspense if, prior to expiration, a completed renewal with required supporting documents and all necessary state fees and surcharges is filed in accordance with all applicable sections of the code or rules.

(d) The commission may without a hearing administratively inactivate and place in administrative suspense a license or permit if the commission receives a final, non-appealable court judgment of eviction concerning against a permitted or licensed premises that is subject to a pending or unexpired suspension order or for which a cancelation or suspension action has been initiated. If no administrative action is pending against the permit or license, a license or permit may be voluntarily cancelled upon receipt of:

(1) the original permit or license, submitted to the commission, signed by the permittee or licensee on the reverse side with the notation voluntary cancellation and the date; or

(2) a sworn statement by the licensee or permittee stating that the license or permit is lost or unavailable to surrender and requesting the license or permit to be voluntarily cancelled.

(e) The commission may, without a hearing, administratively inactivate and place in administrative suspense a license or permit if the license or permit holder is delinquent in the payment of an account for liquor under Code §102.32 and either subsection (c) or (d) of this rule applies. The Commission may not accept the voluntary cancelation or suspension of a license or permit or allow a license or permit to be renewed or transferred if the license or permit holder is delinquent in the payment of an account for liquor under Section 102.32 of the Texas Alcoholic Beverage Code. The effective date of the license and/or permit placed in voluntary suspense or voluntarily cancelled will be the date the statement or other document is received in the licensing division or any other date agreed to by the parties.

(f) The commission may, but is not required to, administratively inactivate and place in voluntary suspense a license or permit if no administrative action is pending against the license or permit and either:

(1) the actual license or permit is submitted by the license or permit holder;
or

(2) a sworn statement is submitted by the license or permit holder stating that the actual license or permit is unavailable for surrender and why.

(g) If a license or permit has been placed in voluntary administrative inactivation and the license or permit has not expired then the license or permit may be reinstated to active status, but only if the same requirements and qualifications as an applicant for an original license or permit are met. If a license or permit is reinstated under this subsection, the license or permit fee for the remainder of the license or permit term during which it was placed in administrative inactive status is not required.

(h) A license or permit may be renewed while on administrative inactivation only if, prior to the expiration date of the license or permit, a completed renewal with required supporting documents and all necessary state fees and surcharges is filed in accordance with all applicable sections of the code and rules. Otherwise the license or permit will expire at the end of its existing term.

(i) The effective date of the administrative inactivation of a license or permit or its voluntary cancellation will be the date the statement or other document required by this section is received in the licensing division or any other date mutually agreed to by the parties.

Attachment 4

**Approval to Repeal Rule §41.72,
Invalidation of Stamps**

January 28, 2014 Agenda Item 14.
Approval to Repeal Rule §41.72, Invalidation of Stamps

The Texas Alcoholic Beverage Commission (commission) repeals §41.72, relating to Invalidation of Stamps, as proposed in the December 6, 2013 issue of the *Texas Register* (38 TexReg 8729). No comments were received.

The commission recently amended §41.71, Identification Stamps and Local Distributor's Records, to address the requirements regarding identification stamps for both a holder of a local distributor's permit and a retail permittee. That rule change became effective on October 24, 2013. Section 41.72 contains the same requirements regarding identification stamps for retail permittees that are now found in the amended §41.71. There is no need to duplicate the requirements for retail permittees in two rules. Since the need for §41.72 no longer exists, the commission proposes to repeal it.

Section 41.72 was also reviewed under Government Code §2001.039, which requires each state agency to periodically review and consider for readoption each of its rules. The commission has determined that the need for the rule no longer exists and that it should be repealed.

The rule is repealed pursuant to Alcoholic Beverage Code §5.31, which grants authority to prescribe rules necessary to carry out the provisions of the Code, and Government Code §2001.039, which requires the agency to periodically review its rules to determine whether the need for them continues to exist.

~~§41.72 Invalidation of Stamps.~~

~~—(a) — The invalidation of identification stamps required by §28.09 of the Alcoholic Beverage Code shall be done by mutilating the stamp.~~

~~—(b) — As used in this section, "mutilate" means to scratch, cut, tear, or abrade in a manner which inflicts obvious and substantial damage to the stamp but does not totally remove or obliterate the stamp.~~

~~—(c) — The marking of a stamp with ink, dye, or other material is not authorized as a method for invalidating the stamp.~~

~~—(d) — No permittee shall possess or permit any person to possess on the permittee's licensed premises any distilled spirits in any container bearing an identification stamp which has been mutilated or otherwise damaged or marked to a substantial degree.~~

~~—(e) — All provisions of sections 28.08 and 28.09 of the Alcoholic Beverage Code applicable to a mixed beverage permittee shall apply to holders of private club registration permits, private club late hours permits, and private club exemption certificate permits.~~

Attachment 5

Strategic Planning Briefing

Strategic Planning



Commission Meeting
January 28, 2014

What is a Strategic Plan?

The Strategic Plan defines what an agency is and intends to be, as well as the principles guiding it.



The Process: Oct-Feb

- * October – Survey of Employee Excellence
- * December – Receive Survey Results
 - * Using the Survey as a Catalyst for organizational improvement is essential to the survey process.
- * January
 - * Distribute Survey Results
 - * 1/28/14 Commission Meeting
 - * 1/29/14 Tri Regional Workgroup Meeting
- * February Staff Brainstorming Meetings

The Process: March-June

- * March
 - * 3/24/14 PM Develop Internal Management Goals
 - * 3/25/14 AM Commission Meeting
 - * 3/25/14 PM Develop External Management Goals
Stakeholders are Encouraged to Attend
- * April - Compile / Finalize Document.
- * May 1st - Mail Document to Commissioners
- * May 20th - Commissioners Vote to Approve
- * June 30th – Distribute Copies

Questions or Comments?

CERTIFICATION

REGULAR COMMISSION MEETING

10:00 a.m. – January 28, 2014

**5806 Mesa Drive
Austin, Texas 78731**



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

STATE OF TEXAS

COUNTY OF TRAVIS

This certifies that the attached is a true copy of the proceedings of the Texas Alcoholic Beverage Commission meeting held on January 28, 2014.

A handwritten signature in black ink that reads "Sherry K. Cook".

Sherry Cook
Administrator

Sworn and subscribed before me this the 14th day of February 2014.



A handwritten signature in black ink that reads "Gloria Darden Reed".

Gloria Darden Reed
Notary in and for Travis County