TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

ANNUAL REPORT
OF
NONFINANCIAL DATA
FOR FISCAL YEAR 2009

JOSÉ CUEVAS, JR., Presiding Officer
STEVEN M. WEINBERG, MD, JD, Member
MELINDA S. FREDRICKS, Member
ALAN STEEN, Administrator

TABC

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José Cuevas, Jr.
Presiding Officer-Midland

Steven M. Weinberg, MD, JD
Member-Colleyville

Melinda S. Fredricks
Member-Conroe

Alan Steen
Administrator

December 29, 2009

The Honorable Rick Perry, Governor
John Keel, CPA, State Auditor
John O'Brien, Director, Legislative Budget Board

Gentlemen:

We are pleased to submit the Texas Alcoholic Beverage Commission's *Annual Report of Nonfinancial Data* for the year ended August 31, 2009, in compliance with TEX. GOV'T CODE ANN §2101.0115, and in accordance with the instructions for completing the Annual Report of Nonfinancial Data.

The accompanying report has not been audited and is considered to be independent of the agency's *Annual Financial Report*.

If you have any questions, please contact Charles Kerr at (512) 206-3242.

Sincerely,

Alan Steen
Administrator

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TEXAS ALCOHOLIC BEVERAGE COMMISSION
ANNUAL REPORT OF NONFINANCIAL DATA
For the Fiscal Year Ended August 31, 2009

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I. SCHEDULES

I. SCHEDULES

Schedule 1.....Appropriation Item Transfers

Schedule 2.....HUB Strategic Plan Progress Report

Schedule 3.....Indirect Costs

Schedule 4.....Professional, Consulting Fees and Legal Service Fees

Schedule 5.....Space Occupied

Schedule 6.....Exception Letters

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Schedule 9.....Schedule of Recycled, Remanufactured and Environmentally Sensitive Purchases

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 1
APPROPRIATION ITEM TRANSFERS*
For the Fiscal Year Ended August 31, 2009

ITEM OF APPROPRIATION - AY 2009

			Transfers In	Transfer Out	Net Transfers
A. Goal: Regulate Distribution			$	$	$
Strategy:					
A.1.1	13016	Public Enforcement	867,835	(1,420,945)	(553,110)
A.1.1	50001	Capital Budget	161,221	(9,370)	151,851
A.1.1	50004	Capital Budget	389,739	0	389,739
A.1.1	50005	Capital Budget	564,069	(119,552)	444,517
A.1.1	50006	Capital Budget	36,042	0	36,042
Total, Goal A: Regulate Distribution			2,018,906	(1,549,867)	469,039
B. Goal: Process TABC Applications					
Strategy:					
B.1.1	13017	Business Compliance	105,000	(76,722)	28,278
B.1.1	50001	Capital Budget	32,104	(1,866)	30,238
B.1.1	50006	Capital Budget	3,683	0	3,683
Total, Goal B: Process TABC Applications			140,787	(78,588)	62,199
C. Goal: Collect Fees and Taxes					
Strategies:					
C.1.1	13018	Inspections and Compliance	0	(136,281)	(136,281)
C.1.1	50001	Capital Budget	97,898	(5,689)	92,209
C.1.1	50006	Capital Budget	9,971	0	9,971
C.2.1	13007	Ports of Entry	0	(27,653)	(27,653)
C.2.1	50001	Capital Budget	16,463	(957)	15,506
C.2.1	50006	Capital Budget	1,729	0	1,729
C.2.1	50007	Capital Budget	15,938	0	15,938
Total, Goal C: Collect Fees and Taxes			141,999	(170,580)	(28,581)
D. Goal: Indirect Administration					
Strategies:					
D.1.1	13800	Central Administration	182,000	(13,296)	168,704
D.1.1	50001	Capital Budget	14,688	(854)	13,834
D.1.1	50006	Capital Budget	3,959	0	3,959
D.1.2	13801	Information Resources	0	(459,314)	(459,314)
D.1.2	50001	Capital Budget	19,060	(1,108)	17,952
D.1.2	50002	Capital Budget	233,750	(46,510)	187,240
D.1.2	50006	Capital Budget	47,066	0	47,066
D.1.2	50150	Capital Budget	572,953	0	572,953
D.1.3	13802	Other Support Services	0	(12,811)	(12,811)
D.1.3	50001	Capital Budget	14,152	(822)	13,330
D.1.3	50006	Capital Budget	884	0	884
Total, Goal D: Indirect Administration			1,088,512	(534,715)	553,797
Contingency Appropriations					
	20204	Reduction for Lost Property	194	0	194
	20961	Schedule C Pay Raise	0	(867,835)	(867,835)
	20962	Salary Increase	554,452	(554,452)	0
	20940	S.B.1217	0	0	0
	31530	HB15-Data Center	0	(188,813)	(188,813)
Total, Contingency Appropriations			554,646	(1,611,100)	(1,056,454)
NET APPROPRIATION ITEM TRANSFERS			3,944,850	(3,944,850)	0

*This schedule does not include Benefit Replacement Pay Transfers.

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 2
HUB STRATEGIC PLAN PROGRESS REPORT
For the Fiscal Year Ended August 31, 2009

CATEGORY	Actual for FY 08*	Actual for FY 09*	Goal for FY 10**
Heavy construction other than building contracts	0.0%	0.0%	11.9%
Building construction, including general contractors and operative builders contracts	0.0%	0.0%	26.1%
Special trade construction contracts	6.6%	9.2%	57.2%
Professional services contracts	0.0%	0.0%	20.0%
Other services contracts	56.1%	51.0%	33.0%
Commodities contracts	20.3%	21.5%	12.6%

Note: The Commission had no heavy construction or building construction contracts in fiscal years 2008 and 2009. There was only one (1) contract for professional services in FY2009.

Prepared By: Ron Hunter, HUB Coordinator

Approved By: _____ Printed Name: Charlie Kerr

* Actual = Percent spent with HUBS from Comptroller's HUB report
**Goal = Strategic Plan HUB goals

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 3
INDIRECT COSTS
For the Fiscal Year Ended August 31, 2009

Payroll Related Costs		
FICA Employer Matching Contribution	$ 2,272,532	
Group Health Insurance	5,522,262	
Retirement	1,792,558	
Unemployment	36,626	
Total Payroll Related Costs		**$ 9,623,978**
Benefit Replacement Pay (BRP)	$ 182,442	
Total Benefit Replacement Pay		**$ 182,442**
Indirect Costs - Statewide Full Cost Allocation Plan		
Building Depreciation	$ 20,409	
Comptroller of Public Accounts	457,894	
Department of Information Resources	8,909	
TBPC Purchasing	8,915	
TBPC P Card Rebate	(3,122)	
TBPC Support Services	14,757	
TPBC Building & Utilities	41,585	
TPBC Facilities and Space Management	757	
Governor's Budget and Planning	2,223	
State Office of Risk Management	19,831	
State Senate	1,115	
House of Representatives	1,366	
Legislative Council	1,055	
Legislative Budget Board	7,054	
Reference Library	1,046	
Sunset Advisory Board	1,146	
Total Indirect Costs - Statewide Full Cost Allocation Plan		**$ 584,940**
TOTAL INDIRECT COSTS		**$ 10,391,360**

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 4
PROFESSIONAL, CONSULTING FEES AND LEGAL SERVICE FEES
For the Fiscal Year Ended August 31, 2009

NAME	TYPE OF SERVICE RENDERED	AMOUNT
Professional/Consulting Fees		
Amerifocus	Computer Programming	3,800
Integrated Fitness Systems - Fitforce	Consulting	36,410
Systems Application Engineering, Inc.	Consulting – Computer	6,600
Bay Area Council on Drugs & Alcohol	Professional Services	300
Alliance Work Partners	Professional Services	6,325
Austin Ribbon & Computer Supplies	Computer Programming	33,308
Jansen and Gregorczyk, CPA	Financial/Accounting	65,400
Testing and Training Services	Educational/Training	2,500
Sam Houston State University – Alcohol/Drug Abuse	Professional Services	300
Objectwin Technology, Inc	Computer Programming	24,750
National Forensic Sciences Consultants, LLC	Witness Fees	1,500
Vicki Waters	Professional Services	433
Thomas A. Workman	Professional Services	500
Ascott Business Advisors	Computer Programming	20,550
Daniel French	Educational/Training	2,000
John Ramsey	Educational/Training	500
Mary Hill	Consulting	10,575
Texas Department of Information Resources	Computer Services	621,131
Total Professional / Consulting Fees	**EXH II - AFR**	**$836,882**
Total Legal Fees	**EXH II - AFR**	**$ 0**
Total Professional / Consulting and Legal Fees	**EXH II - AFR**	**$836,882**

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 5A
SPACE OCCUPIED - STATE OWNED BUILDINGS
For the Fiscal Year Ended August 31, 2009

Space occupied in state owned buildings by the Commission as August 31, 2009, was as follows:

LOCATION	ADDRESS	SQUARE FEET OCCUPIED
El Paso, TX	401 E. Franklin, Suite 120 El Paso, TX 79901	2,885
Paso Del Norte Bridge, El Paso, TX	1000 S. El Paso Street El Paso, TX 79901	1,474
Bridge of the Americas, El Paso, TX	3600 E. Paisano El Paso, TX 79901	433
Juarez Lincoln Bridge, Laredo, TX	700 Lincoln St. Laredo, TX 78040	183
Gateway International Bridge, Laredo, TX	1100 Zaragoza Laredo, TX 78042	149
Warehouse - Austin	4044 Promontory Point, Austin, TX	6200

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 5B
SPACE OCCUPIED - FREE SPACE
For the Fiscal Year Ended August 31, 2009

Free space occupied by the Commission as of August 31, 2009, was as follows:

LOCATION (TEXAS)	ADDRESS	SQUARE FEET
Alpine Outpost	Brewster Co. Sheriff's Office 201 West Ave. E., Alpine, TX 79830	80
Athens Outpost	Henderson Co. Justice Center 206 N. Murchison, Athens, TX 75751	160
Bastrop Outpost	Bastrop Co. Sheriff's Office 200 Jackson St., Bastrop, TX 78602	300
Belton Outpost	Bell Co. Courthouse Annex 111 E. Water, Belton, TX 76513	760
Big Springs Outpost	Howard Co Courthouse, 500 Johnson Street, Suite 200, Big Spring, TX 79720	70
Brazoria Outpost	Brazoria Police Department 202 S. Main St., Brazoria, TX 77422	300
Brownwood Outpost	Brown Co. Law Enf. Center 1050 W. Commerce, Brownwood, Tx 76801	100
Cameron Co. Outpost	1390 W. Expressway 83, San Benito, TX 78586	300
Cleburne Outpost	1102 E. Kilpatrick, Cleburne, TX 76031	140
Del Rio Outpost	Val Verde Co. Sheriff's Office 295 FM 2523 Hamilton Ln., Del Rio, TX 78840	230
Denton Outpost	Denton Co. Annex 306 N. Loop 288, Suite 126. Denton, TX 76209	210
Floresville Outpost	Wilson Co. Sheriff's Office, 800 10th Street, Box 9, Floresville, TX 78114	95
Georgetown Outpost	Williamson Co. Courthouse Annex 517 Pine St., Georgetown, TX 78626	200
Greenville Outpost	Hunt Co. Criminal Justice Center, 2801 Stuart St., Greenville, TX 75401	150
Hondo Outpost	Medina County Courthouse 801 Avenue Y, Hondo, TX 78861	65
Huntsville Outpost	Huntsville Police Dept. 1220 11th St., Huntsville, TX 77340	100
Kerrville Outpost	Kerr Co. Law Enforcement Center 400 Clearwater Paseo, Kerrville, TX 78028	250
Laredo Outpost	Webb Co. Courthouse 1200 Washington, Laredo, TX 78042	850
Llano Outpost	Llano Co. Sheriff's Office, 2001 N. State Hwy 16, Suite A, Llano, TX 78643	190
Lufkin Outpost	Angelina Co. Sheriff's Office 2311 E. Lufkin Ave., Lufkin, TX 75901	150
McKinney Outpost	Collin Co. Annex 825 N. McDonald, Suite 180, McKinney, TX 75069	600
Mineral Wells Outpost	Palo Pinto Co. Office 109 N. Oak, Mineral Wells, TX 76067	88
Mount Pleasant Outpost	383 Fort Sherman Pam Road, Mt Pleasant, TX 75456	150
New Braunfels Outpost	Comal Co. Courthouse 100 Main Plaza, Suite 109, New Braunfels, TX 78130	275
Richmond Outpost	1521 Eugene Heimann Circle, Ste 111, Richmond , TX 77469	500
San Marcos Outpost	Hays Co. Courthouse Annex 102 N. LBJ, Suite 200, San Marcos, TX 78666	570
Sealy Outpost	Austin Co. Courthouse Annex 201 Atchison St., Sealy, TX 77474	100
Sherman Outpost	Grayson Co. Courthouse 100 W. Houston St., 3rd Floor, , Sherman, TX 75090	300
Terrell Outpost	Terrell Co. Community Service Center 115 N. Adelaide St., Room 224, Terrell, TX 75160	100
Tyler Outpost	Smith County Sheriff's Office 1517 W. Front St., Box 4, Tyler, TX 75702	450
Uvalde Outpost	Uvalde Co. Courthouse 100 N Getty Street, 3rd Floor, Box 2, Uvalde, TX 78801	65
Wharton Outpost	Wharton Co. Sheriff's Office 315 E. Elm, Wharton, TX 77488	100
TOTAL		**7,998**

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 5C
SPACE OCCUPIED - LEASED SPACE
For the Fiscal Year Ended August 31, 2009

Rented space occupied by the Commission as of August 31, 2009, was as follows:

	LOCATION (TEXAS)	LESSOR
Abilene	500 Chestnut Street, Suite 1573	Enterprise Building Abilene, Lp
Amarillo	3131 Bell Street	JSW Properties
Austin	5806 Mesa Drive	ASEM Properties
Austin	7600 Chevy Chase Dr. Suite 116	Chase Park Owner, LLC
Austin	4044 Promontory Point, Bldg.#1	Texas Building and Procurement
Beaumont	6450-52 Concord Road	Madeline L. Walker
Big Spring	500 Johnson	Timothy Yeates
Bryan	1716 Briarcrest, Suite 508	G/G Enterprises
Conroe	702 N. Thompson Suite 110	Five Star Interest, L.P.
Corpus	2820 South Padre Island Dr.	2820 South Padre Island Drive, L P
Dallas	8700 Stemmons Frwy., Suite 460	Spire Realty Group, L. P.
Dickinson	3717 Highway 3	Ronald F. Loomis
Eagle Pass	500 S. Adams	City of Eagle Pass
Fort Worth	6800 Manhattan Blvd.	Serafin And Sabrina Garcia
Hidalgo	929 International Bridge	City of McAllen
Houston	427 West 20th Street, Suite 600	Heights Medical Tower, LTD
Longview	2800 Gilmer Road	Gary F. Mapes
Lubbock	3223 S. Loop 289, Suite 301	BGK Intergrated TIC Management, LLC
McAllen	6521 North 10th Street, Ste. D	Yzaguirre & Chapa, LLC
Odessa	4222 Wendover, Suite 200	MLG Properties
Presidio	Presidio International Bridge Hwy. 67	RCS Incorporated, Pecos
Progreso	Progreso International Bridge S. FM 1015 Rd.	B & P Bridge Co. of Weslaco
San Angelo	622 South Oakes, Suite P	City of San Angelo
San Antonio	4203 Woodcock Drive, Suite 120	Brass Centerview Holdings
Victoria	205 North Bridge Street	Victoria County
Waco	6001 West Waco Drive, Suite 314	CBL Richland Mall
Wichita Falls	624 Indiana Street, Suite 300	Mathis, West, Huffines & Company

Lease No.	Type	Usable Sq. Ft.	FTEs	Rent Per Month: Monthly Rental	Cost Per Sq. Ft.	Annual Cost	Comments
ABC-066	Office	2,200	9.0	2,200	$1.00	$26,400	Expires 08/31/11
ABC-078	Office	2,312	10.0	2,840	$1.23	$34,080	Expires 08/31/12
ABC-092	Office	31,618	170.0	70,503	$2.23	$846,271	Expires 08/31/12
ABC-053	Office	5,378	24.0	9,972	$1.85	$119,664	Expires 10/31/15
IAC#01-1294	Warehouse	6,200	3.0	-	$0.00	$33,480	Expires 08/31/09
ABC-061	Office	2,134	10.0	2,482	$1.16	$29,788	Expires 08/31/10
ABC-079	Office	400	1.0	400	$1.00	$4,800	Expires 08/31/10
ABC-073	Office	1,673	7.0	2,774	$1.66	$33,288	Expires 08/31/12
458-6-40003A	Office	2,000	10.0	2,770	$1.39	$33,240	Expires 08/31/10
ABC-069	Office	2,996	14.0	3,035	$1.01	$36,425	Expires 08/31/11
ABC-086	Office	9,061	41.0	13,399	$1.48	$158,963	Expires 08/31/11
ABC-087	Office	1,780	7.0	2,332	$1.31	$27,984	Expires 08/31/09
ABC-090	Tax Booth	180	2.0	650	$3.61	$7,800	Expires 11/30/11
ABC-015	Office	4,169	25.0	5,616	$1.35	$62,786	Expires 08/31/10
ABC-055p	Tax Booth	650	10.0	2,047	$3.15	$24,567	Expires 08/31/12
ABC-052	Office	9,787	63.0	10,864	$1.11	$130,363	Expires 08/31/14
ABC-047	Office	2,200	14.0	2,640	$1.20	$31,680	Expires 08/31/10
ABC-079	Office	2,706	12.0	3,312	$1.22	$37,286	Expires 08/31/10
ABC-095	Office	3,913	19.0	5,560	$1.42	$66,724	Expires 08/31/12
ABC-059	Office	2,987	2.0	2,700	$0.90	$32,400	Expires 08/31/10
ABC-081p	Tax Booth	24	2.0	450	$18.75	$5,400	Expires 08/31/10
ABC-049p	Tax Office	374	10.0	2,600	$6.95	$31,200	Expires 08/31/12
ABC-303-9918-e9a	Office	426	3.0	389	$0.91	$4,717	Expires 07/31/09
ABC-076	Office	5,854	34.0	8,017	$1.37	$96,204	Expires 11/30/09
ABC-096	Office	1,660	8.0	1,826	$1.10	$21,912	Expires 08/31/14
ABC-068	Office	2,220	11.0	3,361	$1.51	$40,137	Expires 11/30/11
ABC-067	Office	1,810	5.0	1,263	$0.70	$15,162	Expires 08/31/11

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 5D
SPACE OCCUPIED – FEDERAL LICENSE AGREEMENTS
As of August 31, 2009

The Commission holds the following license agreements for lease space at bridge sites into Mexico. General Services Administration of the Federal Government issues the licenses.

LICENSE NUMBER	LOCATION	MONTHLY FEE	LEASE EXPIRES
GS07B(S)1624	Brownsville (Gateway)	$65	00/00/00
GS07B(S)1625	Brownsville (Railroad)	$65	00/00/00
GS07B(S)2055	Brownsville (Los Tomates)	$332	00/00/00
GS07B(S)2156	Los Indios	$214	00/00/00
GS07B(S)1623	Del Rio Bridge	$133	00/00/00
GS07B(S)1622	Eagle Pass Bridge I	$142	00/00/00
GS07B(S)2063	El Paso (Bridge of the Americas)	$441	00/00/00
GS07B(S)2062	El Paso (Paso Del Norte)	$1,083	00/00/00
GS07B(S)1413	Hidalgo Bridge	-	00/00/00
GS07B(S)2066	Laredo (Juarez-Lincoln)	$309	00/00/00
GS07B(S)1626	Laredo (Gateway – GSA)	$210	00/00/00
GS07B(S)1429	Laredo (Gateway - TABC)	$54	00/00/00
GS07B(S)1672	Pharr Bridge (GSA)	$176	00/00/00
GS07B(S)1616	Rio Grande City Bridge	-	00/00/00
GS07B(S)1655	Roma Bridge	$20	00/00/00
GS07B(S)2018	Ysleta Bridge	$408	00/00/00

Note: 00/00/00 designates a perpetual lease.

The above license agreements allow the Commission to operate at federal sites. The monthly fee is based on the cost of utilities, new construction amortization and/or rental fees associated with providing space to the agency by the General Services Administration. The fees may be adjusted based on increases in utility, maintenance and construction costs.

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 6
EXCEPTION LETTERS
For the Fiscal Year Ended August 31, 2009

During the fiscal year ended August 31, 2009, the Texas Alcoholic Beverage Commission prepared the following exception letters.

Vendor	**Product**	**Justification**	**Amount**
CPL Retail Energy	**Electrical Services**	Continuation of electricity services for the Texas Alcoholic Beverage Commission's Port of Entry locations listed below: TABC POE ROMA INT'L BRIDGE 402 N. ESTRELLA ST. ROMA TX 78584 Account # 1769728 TABC – POE LAREDO INT'L LAREDO INT'L BRIDGE 1100 ZARAGOSA ST & CONVENT ST LAREDO TX 78040 Account # 4038469 TABC – POE PROGRESO PROGRESO INT'L BRIDGE RD 1015, RT 2 BOX 600 WESLACO TX 78596 Account #'s 951923 & 4420469 The purchase order for electrical services for the listed locations cannot be provided by any other local electrical service provider and is proprietary to the listed vendor. Therefore, TABC requested this continuation of electrical services to support listed locations and allow TABC personnel the ability to perform their daily duties without delay.	$8,700.00
City of Austin	**Electrical**	The Texas Alcoholic Beverage Commission extended the current account for electricity services for the Texas Alcoholic Beverage Commission's Information Resources Division location listed below: Texas Alcoholic Beverage Commission Headquarters 5806 Mesa Drive Austin, Texas 78731 Electrical services cannot be provided by any other local electrical service provider and is proprietary to the above listed vendor. Therefore, TABC requested this continuation of electrical services to support listed location and allow TABC personnel the ability to perform their daily duties without delay.	$19,800.00
David Phillip	**Programmer Services**	TABC required temporary staffing programmers to develop, enhance and maintain the Lotus Database. Mr. Bob Ascot and Mr. David Phillips were recommended, due to their reputation with the system, past performance, institutional knowledge, experience, responsibility and demonstrated capability to provide reliable support is the Best Value for the TABC and the State of Texas.	$21,918.75

		David Phillips' services will consist of developing requirements in conjunction with TABC staff, designing and implementing enhancements, testing and documenting changes to the Lotus Notes System. David Phillips' skills and abilities with our system and their background with the system greatly reduced training and education time and will provide TABC the best opportunity for updating/enhancing the system. All services described are currently not fully functional and a direct hire of these resources is required to assist TABC in assuring that the project can be completed in contract term. Historically, Robert Smoot and David Phillips, as RFD and Associates employees, initially designed and implemented the TABC Lotus Notes system 10+ years ago. Following the initial release, Robert Smoot went on to other work at RFD while David Phillips designed and implemented the Travel Tracking System for TABC. David Phillips has maintained and enhanced both systems over the years. Robert Smoot is not available to perform services, as he is allocated to other projects within RFD and Associates and David Phillips is no longer employed with RFD and Associates. In addition, RFD and Associates are no longer supporting the Texas Alcoholic Beverage Commission's Lotus System.	
Sam Pack Five Star Ford	**Additional Equipment**	The purchase order is for additional equipment utilized in the 2009 Ford Crown Victoria Police Interceptors by the Texas Alcoholic Beverage Commission's (TABC) Enforcement Division. The added equipment is required to ensure that the units come built from Ford Motor Company with all the options required by the Texas Alcoholic Beverage Commission as the Comptroller of Public Accounts Automated Term Contract 071-A2, under Texas Specification 070-AT-2007/2008, amended June 1, 2006 did not include the options required. Theses requested products are needed to fulfill requirements needed by the Texas Alcoholic Beverage Commission.	$7,168.00
Radisson Austin North	**Meeting Room Rental**	The Texas Alcoholic Beverage Commission required meeting room space. The TABC 2008 Summer Conference was held October 6-8, 2008 and cannot be provided by any other local hotel due to the meeting space requirements, date of conference, as specified and is proprietary to the listed vendor.	$8,800.00
Motorola	**Maintenance and Support Agreement**	The requested Motorola NetRMS Maintenance and Support Agreement No. 003567-000 is a renewal, required for unlimited technical support services and correction of residual errors during the Principal Period of Maintenance (PPM). This maintenance agreement entitles TABC to the support but also entitles TABC to upgrades as well. Motorola NetRMS, a web-based records management system is designed to be accessible from anywhere and provides the tools our agency needs to accurately record, store, and retrieve departmental records. The maintenance of and the upgrades to the system are extremely critical to the operation of this agency. There is no other product that can fulfill these requirements.	$16,801.00
Systems Application Engineering, Inc.	**Information Technology**	The Texas Alcoholic Beverage Commission (TABC) recently requested an exemption approval WA-04-08-1723 from the Department of Information Resources (DIR) to procure the remaining hardware, software, and services from Systems Application Engineering (SAE) in order to complete Phase II of the below referenced project. The initial project equipment, software, and services were procured under DIR's exemption approval PIO-WA-05-07-1093, dated 5/31/07. SAE has and will continue to provide TABC the value-adds of integrating their custom build point of sale application with Symbol (now Motorola) handheld Zebra printers. SAE will be modifying some subroutines that are unique to SAE and very important to the	$21,372.00

		successful and timely completion of Phase II of this project. SAE has now worked with TABC on the deployment of our pilot project in the Brownsville POE and are very familiar with the technical environment of .net and SQL. SAE is bound by the original SOW agreement to provide TABC with same pricing for the remaining hardware, which includes installation services. This added proposal provides TABC with a fixed price for the software component and a firm quote, negotiated by SAE and the Information Resources Division (IRD) of the TABC, for the configured added equipment for the POETCS System. Included in the new proposal is a firm fixed price for the requirements definition, design, development, testing and installation/training of the POETCS Software. The software price also includes the development of the interfaces to TABC's host systems. In summary, all the costs elements of the POETCS project are included. The specific items addressed in this proposal are: Proposed SAE services and deliverables; Proposed system equipment; Project schedule and plan; and Pricing and commercial terms. Therefore, the TABC is requesting a contract directly with SAE for these services as competing Comptroller of Public Accounts (CPA) vendors are not available and skilled from which the purchase of this support service and maintenance can be obtained. The TABC believes with the reputation of SAE's past performance, experience, responsibility and demonstrated capability to provide required services I the Best Value for the TABC and the State of Texas.	
Sound Off Inc. DBA Emergency Technology	**Emergency Lighting System**	This purchase order is for Predator II LED Emergency Lighting Systems that are required for installation on sixteen (16) 2009 Ford Crown Victoria Police Interceptor vehicles to be utilized by TABC. Sound Off Inc. DBA Emergency Technology is the only vendor that provides the Predator II, 4th generation, extreme wide angle, lighting emitting diode (LED), emergency lighting systems. TABC believes with past performance, experience, responsibility and demonstrated capability to provide reliable support, continuity, warranty and price are the best value for the TABC and the State of Texas.	$5,586.45
Adaptive Digital Systems, Inc.	**Digital Video Recorder**	ADS is the sole source and the only manufacturer, direct distributor of the EAGLE8 FINCH, FLEX8, HAWK, FALCON, RAVEN family of covert records. In addition, the WRIS, and optional Officer Safety Transmitter (OSRFT), support microphones, HAWKEYE and HCAM, VERSACAM cameras, complementing Digital Recorder Support Units (DRSU), RF-SW, USBI module, the Portable Digital Recorder Support Unit (PDRSU), and the SCRIBER system, are also manufactured and distributed by ADS. The listed products are exclusive designs and are only manufactured, advertised and distributed by ADS. The hardware and software is proprietary to ADS. Commercially available records are not applicable for surveillance operations for a number of reasons. TABC believes with past performance, experience, responsibility and demonstrated capability to provide reliable support, continuity, warranty and price are the best value for the TABC and the State of Texas.	$12,000.00
Mercury Communications	**Information Technology**	The Texas Alcoholic Beverage Commission (TABC) recently requested an exemption approval WA-04-08-1723 from the Department of Information Resources (DIR) to procure the remaining hardware, software, and services from Systems Application Engineering (SAE) in order to complete Phase II of the below referenced project. The initial project equipment, software, and services were procured under DIR's exemption approval PIO-WA-05-07-1093, dated 5/31/07. SAE has and will continue to provide TABC the value-adds of integrating their custom build point of sale application with Symbol	$19,472.00

		(now Motorola) handheld Zebra printers. SAE will be modifying some subroutines that are unique to SAE and very important to the successful and timely completion of Phase II of this project. SAE has now worked with TABC on the deployment of our pilot project in the Brownsville POE and are very familiar with the technical environment of .net and SQL. SAE is bound by the original SOW agreement to provide TABC with same pricing for the remaining hardware, which includes installation services. This added proposal provides TABC with a fixed price for the software component and a firm quote, negotiated by SAE and the Information Resources Division (IRD) of the TABC, for the configured added equipment for the POETCS System. Included in the new proposal is a firm fixed price for the requirements definition, design, development, testing and installation/training of the POETCS Software. The software price also includes the development of the interfaces to TABC's host systems. In summary, all the costs elements of the POETCS project are included. The specific items addressed in this proposal are: Proposed SAE services and deliverables; Proposed system equipment; Project schedule and plan; and Pricing and commercial terms. The locations included in this request are: El Paso Port of Entry TABC Austin Headquarters Hidalgo Port of Entry Progreso Port of Entry Brownsville Port of Entry Eagle Pass Port of Entry Laredo Port of Entry Therefore, the TABC is requesting a contract directly with SAE for these services as competing Comptroller of Public Accounts (CPA) vendors are not available and skilled from which the purchase of this software, hardware, programming services and maintenance can be obtained. The TABC believes with the reputation of SAE's past performance, experience, responsibility and demonstrated capability to provide required services I the Best Value for the TABC and the State of Texas.	
Aeroflex Test Solutions	**Information Technology**	This purchase order is for the Aeroflex 3920 Digital Radio Test Set and Aeroflex 3500A Handheld Radio Test Set that includes the negotiated price of several trade-in pieces of TABC equipment. This exemption is required because no other products can fulfill the agency's radio requirements needed. At this time, both the Aeroflex 3920 Digital Radio Test Set and Aeroflex 3500A Handheld Radio Test Set are proprietary to Aeroflex Test Solutions. This system is designed for testing and trouble-shooting radio systems in the field and is required to insure compliance with the FCC	$54,685.00

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 7
VEHICLE PURCHASES
For the Fiscal Year Ended August 31, 2009

During fiscal year 2009, the agency purchased 20 replacement vehicles.

Make & Model	Quantity	Purchase Price	Efficiency	Assigned Use
2009 Ford Crown Victoria	16	$338,558.72	15-19 MPG	Law Enforcement
2009 Chevrolet Impala	4	$77,984.04	19-29 MPG	Law Enforcement

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 8
SCHEDULE OF STATE-OWNED VEHICLES
For the Fiscal Year Ended August 31, 2009

Vehicles Assigned to Peace Officers
A Texas Alcoholic Beverage Commission vehicle is assigned to all agency commissioned peace officers except for licensing investigators. The officers assigned vehicles are subject to call twenty-four hours a day, and their duties may require immediate response to situations affecting the safety and wellbeing of the citizens of this state.

Austin Headquarters Vehicle Assignments
Listed below are the names and positions of personnel assigned to the Austin headquarters whose duties require the assignment of a state vehicle on a full-time basis:

Department: Name, Title	**Description**
Executive: Alan Steen, Administrator Sherry Cook, Asst. Administrator Field Operations: Joel Moreno, Chief Rod Venner, Assistant Chief Robert Gideon, Captain Office of Professional Responsibility: Andres Pena, Director	Vehicle assignments to headquarters personnel are limited to commissioned peace officers. Officers are subject to call twenty-four hours a day and job duties may require immediate response to situations affecting the safety and wellbeing of the public and the effective administration of the agency. Other employees may use agency pool vehicles that are properly marked for business related travel. There are approximately 30 employees that use a pool vehicle on a regular basis.

_____
Certified by Administrator

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 9
SCHEDULE OF RECYCLED, REMANUFACTURED AND ENVIRONMENTALLY SENSITIVE PURCHASES
For the Fiscal Year Ended August 31, 2009

FY 2009 Agency Report of Recycled, Remanufactured and Environmentally Sensitive Purchases	
Agency No. 458	**Agency Name:** Texas Alcoholic Beverage Commission
Point of Contact:	Ron Hunter, Purchasing Manager
Phone Number:	(512) 206-3262
E-Mail Address:	ron.hunter@tabc.state.tx.us

E1, E2, or E3	Description	Non-Delegated	Delegated	Total
Total E1 Including 1st Choice	Recycled	$50,917.19	$0	$50,917.19
Total E2 Including 1st Choice	Remanufactured	$0	$0	$0
Total E3 Including 1st Choice	Environmentally Sensitive	$0	$0	$0
Total of E1, E2, and E3 includes Recycled 1st Choice Targeted Totals		**$50,917.19**	$0	$0

Non-Delegated FY 2008 1st Choice Targeted Commodities	Expenditures			% Spent on 1st Choice Products 100* [A/(A+B)]
	1st Choice Products (A)	Virgin Counterpart (B)	Total (A+B)	
Motor Oil & Lubricants	$0	$0	$0	0%
Toilet Paper, Toilet Seat Covers & Paper Towels	$1,005,.60	$0	$1,005,.60	100%
Printing Paper, Copier Paper, & Computer Paper	$39,988.31	$0	$39,988.31	100%
Business Envelopes	$1,339.50	$0	$1,339.50	100%
Plastic Trash Bags	$0	$0	$0	0%
Plastic Cover Binders	$0	$0	$0	0%
Recycling Containers	$0	$0	$0	0%
Photocopiers	$0	$0	$0	0%
Total 1st Choice Targeted Commodities	**$42,333.41**	**$0**	**$42,333.41**	**100.0%**

* Delegated Summary of Total Number of Justification Letters	Exception (1) Cost	Exception (2) Quality	Exception (3) Not Available	Exception (4) Other
Motor Oil & Lubricants	0	0	0	0
Toilet Paper, Toilet Seat Covers & Paper Towels	0	0	0	0
Printing Paper, Copier Paper, & Computer Paper	0	0	0	0
Business Envelopes	0	0	0	0
Plastic Trash Bags	0	0	0	0
Plastic Covered Binders	0	0	0	0
Recycling Containers	0	0	0	0
Photocopiers	0	0	0	0
Total Number(s)	**0**	**0**	**0**	**0**

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II. ADDENDA

II. ADDENDA

Addendum A	Organization of the Texas Alcoholic Beverage Commission
Addendum B	Organizational Chart
Addendum C	Service Efforts and Accomplishments
Addendum C.1	Service Efforts and Accomplishments - Licensing
Addendum C.2	Service Efforts and Accomplishments - Tax
Addendum C.3	Service Efforts and Accomplishments – Field Operations
Addendum D	Contested Administrative Case Activity
Addendum E	Wet-Dry Status of Texas Counties
Addendum F	Local Option Elections
Addendum G.1	Detail Statement of Collections
Addendum G.2	Per Capita Consumption
Addendum G.3	Historical Summary of Revenue Collections

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)
ADDENDUM A
ORGANIZATION OF THE TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)
For the Fiscal Year Ended August 31, 2009

Created as the Texas Liquor Control Board by H.B. 77, 44th Legislature, 2nd Called Session (1935), this Commission was organized and began functioning on November 16, 1935. The Texas Liquor Control Board remained the Commission's name until January 1, 1970, when H.B. 379, 61st Legislature, Regular Session (1969), became effective, redesignating its title to Texas Alcoholic Beverage Commission (the Commission).

The Commission is charged with the administration and enforcement of the Texas Alcoholic Beverage Code. As described in Title 2, Chapter 5, Subchapter B of the Alcoholic Beverage Code, the powers and duties of the Commission are as follows:

"Sec. 5.31. GENERAL POWERS AND DUTIES. The Commission may exercise all powers, duties and functions conferred by this code, and all powers incidental, necessary, or convenient to the administration of this code. It shall 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 for the purpose of sale or otherwise. It may prescribe and publish rules necessary to carry out the provisions of this code."

Article IX Section 4.04, 79th Legislature, provides per diem for Commission members which consists of compensatory per diem at $30 per day; actual expenses for meals and lodging not to exceed $121 per day; and transportation reimbursement at rates specified for state employees.

The Commission members serving on August 31, 2009, are listed below:

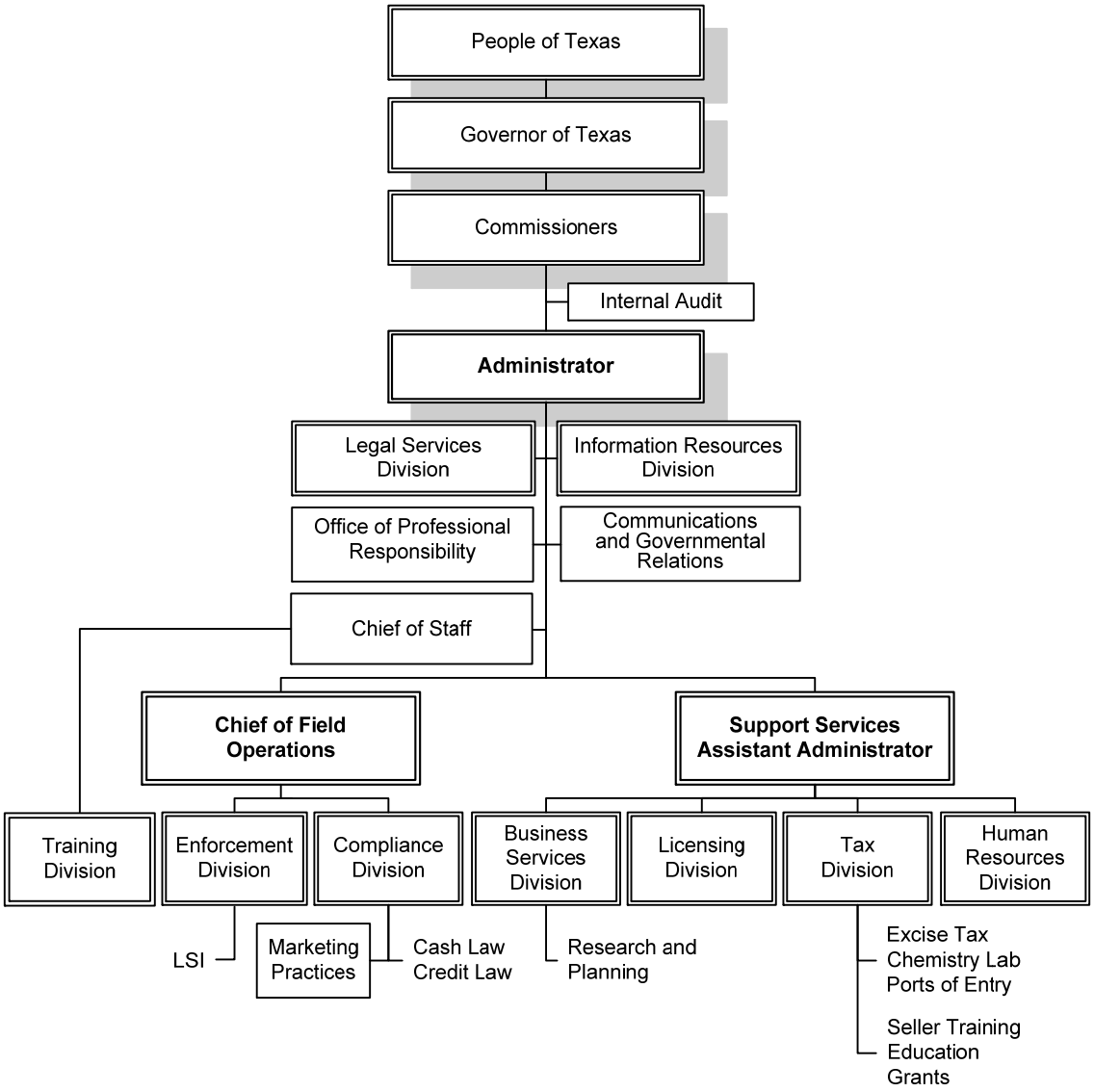
Name	Designated Headquarters	Term Expires
Jose Cuevas, Jr., Presiding Officer	Midland, TX	11-15-09
Steven M. Weinberg, MD, JD Member	Colleyville, TX	11-15-11
Melinda S. Fredricks, Member	Conroe, TX	11-15-13

ADDENDUM A (Continued)

An Administrator, who is appointed by the Commissioners, is responsible for managing the Commission's daily operations. Mr. Alan Steen of Austin was named Administrator by the Commission on August 1, 2003. The Commission's key personnel as of August 31, 2009, are listed below:

Name	Title
Alan Steen	Administrator
Sherry Cook	Assistant Administrator
Joel Moreno	Chief of Field Operations
Earl Pearson	Chief of Staff
Louis R. Bright	General Counsel
Joan Bates	Deputy General Counsel
Amy Harrison	Director – Licensing Division
Dianna Gonzales	Director – Tax Division
Charlie Kerr	Director – Business Services Division
Jay Webster	Director – Information Resources Division
Loretta Doty	Director – Human Resources Division
Carolyn Beck	Director – Communications & Governmental Relations
Andres Pena, Jr.	Director – Office of Professional Responsibility
Dexter Jones	Assistant Chief - Field Operations (Compliance)
Rod Venner	Assistant Chief – Field Operations (Enforcement)

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)
ADDENDUM B
ORGANIZATIONAL CHART
For Fiscal Year Ended August 31, 2009



TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM C
SERVICE EFFORTS AND ACCOMPLISHMENTS
For the Fiscal Year Ended August 31, 2009

	For the Fiscal Years Ending	
	August 2008	**August 2009**
A. Goal: REGULATE DISTRIBUTION To promote the health, safety, and welfare of the public and to regulate the alcoholic beverage industry by taking positive steps to foster voluntary compliance with the law through a combination of enforcement and education.		
Outcomes:		
Percentage of Licensed Establishments Inspected Annually	84.47%	86.18%
A.1.1 Strategy: DETER/DETECT VIOLATIONS Deter and detect violations of the Alcoholic Beverage Code by inspecting licensed establishments, by investigating complaints and by providing or sponsoring educational programs that promote voluntary compliance and increase the public's awareness of the state's alcoholic beverage laws.		
Outputs:		
Number of Inspections Made	126,444	115,705
Efficiencies:		
Average Cost per Inspection	$174.78	$ 190.81
B. Goal: PROCESS TABC APPLICATIONS Process alcoholic beverage license/permit applications and issue licenses/permits in compliance with the Alcoholic Beverage Code.		
Outcomes:		
Percent of Original License/Permit Applications Processed Within 14 days	97.64%	98.67%
B.1.1.Strategy ENSURE LAW COMPLIANCE**:** Ensure compliance with laws regarding ownership of permits/licenses, tax security, and other licensing requirements.		
Outputs:		
Number of Licenses/Permits Issued	107,783	101,684
Efficiencies:		
Average Cost Per License/Permit Processed	$24.94	$26.88

ADDENDUM C (Continued)

	For the Fiscal Years Ending	
	August 2008	**August 2009**
C. Goal: COLLECT FEES AND TAXES To ensure compliance with the Alcoholic Beverage Code in the manufacturing, importing, exporting, transporting, storing, selling, serving, and distributing of alcoholic beverages.		
Outcome:		
Percent of Inspections, Analyses and Compliance Activities Resulting in Administrative or Compliance Actions	19.90%	21.45%
C.1.1.Strategy: COMPLIANCE MONITORING Inspect, investigate and analyze all segments of the alcoholic beverage industry, verify the accuracy and timeliness of tax reporting payments, and initiate any necessary compliance and/or administrative actions for failure to comply, while providing instruction to promote voluntary compliance.		
Output:		
Number of Inspections, Analyses and Compliance Activities	161,942	156,623
Efficiencies:		
Average Cost Per Inspection, Analysis, and Compliance Activity	$27.32	$30.82
C.2.1.Strategy: PORTS OF ENTRY Identify high traffic loads and strategically place personnel or equipment at ports of entry to more efficiently regulate the personal importation of alcoholic beverages and cigarettes.		
Outputs:		
Number of Alcoholic Beverage Containers and Cigarette Packages Stamped	2,882,353	2,174,087

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM C.1
SERVICE EFFORTS AND ACCOMPLISHMENTS - LICENSING
For the Fiscal Year Ended August 31, 2009

During FY 2009, the following alcoholic beverage permits and licenses were issued:

Liquor Permits:

Agent's Permit	10,783
Airline Beverage Permit	25
Beverage Cartage Permit	6,457
Bonded Warehouse Permit	6
Bonded Warehouse Permit (Dry Area)	0
Brewer's Permit	12
Carrier's Permit	435
Caterer's Permit	1,247
Daily Temporary Mixed Beverage Permit	562
Daily Temporary Private Club Permit	108
Direct Shippers Permit - Out of State Winery	861
Distiller's and Rectifier's Permit	10
Food & Beverage Certificate	6,314
Forwarding Center Certificate	31
General Class B Wholesaler's Permit	93
Industrial Permit	76
Local Cartage Permit	898
Local Class B Wholesaler's Permit	1
Local Distributor's Permit	623
Local Industrial Alcohol Manufacturer's Permit	7
Manufacturer's Agent's Permit	721
Manufacturer's Agent's Warehousing Permit	2
Market Research Packager's Permit	0
Minibar Permit	60
Mixed Beverage Late Hours Permit	6,010
Mixed Beverage Permit	8,704
Mixed Beverage Restaurant with FB	1,442
Non Resident Brewer's Permit	182
Non Resident Seller's Permit	1,947
Package Store Permit	2,164
Package Store Tasting Permit	983
Passenger Train Beverage Permit	1
Private Carrier's Permit	355
Private Club Exemption Certificate Permit	383
Private Club Late Hours Permit	477
Private Club Registration Permit	1,431
Private Club Beer and Wine Permit	75
Private Storage Permit	9
Promotional Permit	48
Public Storage Permit	10

ADDENDUM C.1 (Continued)

ADDENDUM C.1 (Continued)

Wholesaler's Permit	164
Wine and Beer Retailer's Permit (Excursion Boat)	13
Wine and Beer Retailer's Permit (Railway Car)	0
Wine Bottler's Permit	5
Wine Only Package Store Permit	2,983
Winery Permit	179
Winery Storage Permit	0
Total Liquor Permits	**56,897**

Beer Licenses and Wine and Beer Retailer's Permits:

Agent's Beer License	10,868
Beer Retail Dealer's Off-Premise License	5,868
Beer Retail Dealer's On-Premise License	1,215
Branch Distributor's License	67
Brewpub License	22
General Distributor's License	72
Importer's Carrier's License	14
Importer's License	135
Local Distributor's License	1
Manufacturer's License	10
Manufacturer's Warehouse License	0
Non Resident Manufacturer's License	160
Retail Dealers On-Premise Late Hours License	2,109
Storage License	0
Temporary License	3922
Wine and Beer Retailer's Off-Premise Permit	12,303
Wine and Beer Retailer's Permit	8,021
Total Beer Licenses and Wine and Beer Retailer's Permits	**44,787**

Total Licenses and Permits **101,684**

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM C.2
SERVICE EFFORTS AND ACCOMPLISHMENTS – TAX DIVISION
For the Fiscal Year Ended August 31, 2009

The agency's Tax Division consists of four units— Excise Tax Reporting, Label Approvals & Chemical Analyses, Prevention & Education, and Ports of Entry.

EXCISE TAX REPORTING

This unit is responsible for processing and reviewing excise tax payments and reports as well as other reports that are periodically due from members of the wholesale and manufacturing tiers of the alcoholic beverage industry. Assigned personnel processed $192,806,592 in excise tax and service fee revenues and reviewed 42,748 tax and non-tax reports during the fiscal year. These reviews were conducted to verify the accuracy of the reports received and resulted in the collection of $538,337 in tax underpayments and late fees.

Excise Tax Rates on Alcoholic Beverages

Type of Alcoholic Beverage	Tax Rate
Distilled Spirits	$ 2.40 per gallon
Wine containing alcohol not more than 14% by volume	$ 0.204 per gallon
Wine containing alcohol over 14%, but not more than 24% by volume	$ 0.408 per gallon
Sparkling Wine	$ 0.516 per gallon
Malt Liquor containing alcohol in excess of 4% by weight	$ 0.198 per gallon
Beer containing not more than 4% alcohol by weight	$ 6.00 per barrel

Revenue Collections
(These revenue figures do not include Ports of Entry Excise Stamp Sales)

Type of Revenue	Amount Collected
Excise Tax - Distilled Spirits	$64,642,991
Excise Tax - Wine	10,462,146
Excise Tax - Malt Liquor	7,907,761
Excise Tax - Beer	108,840,852
Subtotal	191,853,750
Airline/Train Service Fees & Direct Liquor Tax	314,905
Excise Tax - Collections from Report Verifications	538,337
Private Club Temporary Membership Fees	99,600
Total	$192,806,592

ADDENDUM C.2 (Continued)

LABEL APPROVALS & CHEMICAL ANALYSES

This unit processes and approves applications for product label approval and conducts product chemical testing as required for evidentiary purposes. During FY 2009, agency personnel reviewed and took action on product label applications as follows:

Labels Approved for Malt Beverages	1,021
Labels Approved for Distilled Spirits	1,307
Labels Approved for Wine	9,848
Labels Disapproved	207

The unit's chemist also conducted various analyses on beverage samples submitted for testing during FY 2009. A summary of analyses conducted and determinations made is as follows:

Number of analytical determinations made:	
Distilled Spirits	28
Malt Liquor	295
Beer	113
Miscellaneous	44
Total analytical determinations made	480

PREVENTION & EDUCATION

This unit secures and manages grant funding for the agency's public information/public education initiatives, develops the materials and curriculum used in those initiatives, and oversees the agency's seller/server certification program. During the fiscal year, the unit's Grants section secured grant awards totaling $1,329,991.28 and managed $730,301.97 in spending on grant-related programs. Also during the fiscal year, unit personnel created new materials for eight public information or public education initiatives, and also oversaw the activities of 130 private seller/server training schools that provided agency approved training to 252,006 retail clerks and servers.

PORTS OF ENTRY

Personnel of the Ports of Entry Program monitor compliance with the personal importation laws of the State of Texas along the Texas-Mexico border. Taxpayer compliance officers with the program verify that persons importing alcoholic beverages meet all legal requirements regarding importation for personal consumption and collect the appropriate fees and taxes due. Through an agreement with the Comptroller of Public Accounts, Ports of Entry personnel are also responsible for determining compliance with the state laws governing the personal importation of cigarettes and the collection of any taxes due on these importations.

During the fiscal year, Ports of Entry taxpayer compliance officers stamped and collected taxes and fees for 2,778,395 alcoholic beverage and cigarette containers. In the course of these duties, tax compliance officers also confiscated and destroyed 8,651 alcoholic beverage and cigarette containers that were determined to have been imported in violation of state law. The containers were confiscated for the following reasons: Attempted importations by persons under 21 years of age, attempted importations by intoxicated persons, importations in excess of legal limits, and refusal to pay the taxes and fees owed on the alcoholic beverage and/or tobacco products imported.

ADDENDUM C.2 (Continued)

Program staffing is maintained through six port offices, which in turn monitor 26 international crossings along the Texas-Mexico border. Personnel are assigned to 19 major crossings. The additional seven crossings are considered low-volume and are monitored on a random basis. The results of these studies are used to determine if traffic patterns at the locations have increased and if full time staffing is warranted. Employees collect an administrative fee of $0.50 per container on personal importations in addition to the excise taxes due on the alcoholic beverages imported. This administrative fee totaled $1,090,538.50 for the 2009 fiscal year. Total revenue derived from all fees and taxes collected for the personal importation of alcoholic beverages and cigarettes for the fiscal year was $3,330,359.00.

Detailed below are the total amounts of these fees and taxes collected by each port office.

El Paso	$364,278
Laredo	857,740
Hidalgo	494,550
Brownsville	403,357
Eagle Pass	366,778
Progresso	843,656
Total	$ 3,330,359

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM C.3
SERVICE EFFORTS AND ACCOMPLISHMENTS – FIELD OPERATIONS
For the Fiscal Year Ended August 31, 2009

The most visible of the agency's operating units, the Field Operations Division is responsible of the agency's field enforcement, financial compliance, and violation prevention activities. It's mission to protect the peace and safety of the public by encouraging voluntary compliance with state's alcoholic beverage laws and by enforcing those laws in fair, consistent, and effective manner. To this end, its employees conduct compliance checks (inspections) of licensed businesses and other locations, cite and/or arrest violators when found, conduct audits and analyses of financial and other records to ensure regulatory compliance, and participate in a wide range of public information/public education initiatives targeting agency licensees and the various segments of the public.

The agency's Field Operations Division is managed by the Chief of Field Operations, an Assistant Chief for Enforcement, and an Assistant Chief for Compliance. The Enforcement arm of Field Operations consists of 295 commissioned peace officers and twenty-three administrative support personnel. The Compliance staff consists of 66 auditors and ten administrative support personnel. With the exception of a four-person Special Investigations group, the management team described above, and their administrative support, virtually all employees of the Field Operations Division are stationed in field offices across the state.

ENFORCEMENT REGIONS & DISTRICTS

The Enforcement Division has divided the state into five enforcement regions, each supervised by a Captain and consisting of a varying number of districts. All districts have a Lieutenant as supervisor and a number of agents and support personnel. The exact number of personnel assigned to each district is dependent upon assessed need.

Listed below are the regions and their districts. Enforcement districts and regions are named for the cities in which their primary offices are located. The listing also identifies the counties served by each district and the location of any district sub-office.

REGION 1 - LUBBOCK

Amarillo District
Personnel also stationed in Wichita Falls.

District comprised of Archer, Armstrong, Baylor, Carson, Childress, Clay, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Foard, Gray, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hutchinson, King, Knox, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Stonewall, Throckmorton, Wheeler, Wichita, Wilbarger and Young Counties.

Lubbock District

District comprised of Bailey, Briscoe, Castro, Cochran, Crosby, Dickens, Floyd, Garza, Hale, Hall, Hockley, Kent, Lamb, Lubbock, Lynn, Motley, Parmer, Swisher, Terry and Yoakum.

Abilene District
Personnel also stationed in San Angelo and Brownwood.

ADDENDUM C.3 (Continued)

District comprised of Brown, Callahan, Coke, Coleman, Comanche, Concho, Eastland, Fisher, Irion, Jones, McCulloch, Menard, Nolan, Runnels, Schleicher, Shackleford, Stephens, Taylor and Tom Green Counties.

El Paso District
District comprised of Culberson, El Paso and Hudspeth Counties.
Odessa District
Personnel also stationed in Big Spring and Alpine.

District comprised of Andrews, Borden, Brewster, Crane, Crockett, Dawson, Ector, Gaines, Glasscock, Howard, Jeff Davis, Loving, Martin, Midland, Mitchell, Pecos, Presidio, Reagan, Reeves, Scurry, Sterling, Terrell, Upton, Ward and Winkler Counties.

REGION 2 - DALLAS

Fort Worth District
Personnel also stationed in Cleburne and Mineral Wells.

District comprised of Erath, Hood, Jack, Johnson, Palo Pinto, Parker, Somervell, Tarrant and Wise Counties.

Dallas District
Personnel also stationed in Denton, McKinney, Sherman, Greenville and Terrell.

District comprised of Collin, Cooke, Dallas, Delta, Denton, Ellis, Fannin, Grayson, Hopkins, Hunt, Kaufman, Lamar, Montague, Rains, Rockwall and Van Zandt Counties.

Longview District
Personnel also stationed in Athens, Mount Pleasant, Lufkin and Tyler.

District comprised of Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Franklin, Gregg, Harrison, Henderson, Marion, Morris, Nacogdoches, Panola, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Upshur and Wood Counties.

REGION 3 – HOUSTON

Houston District
Personnel also stationed in Dickinson.

District comprised of Galveston and Harris Counties.

Beaumont District
Personnel also stationed in Conroe and Huntsville.

District comprised of Chambers, Hardin, Houston, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto, Trinity, Tyler and Walker Counties.

ADDENDUM C.3 (Continued)

REGION 4 - AUSTIN

Austin District
Personnel also stationed in Bastrop, Georgetown, Kerrville, New Braunfels and San Marcos.
District comprised of Bastrop, Blanco, Burnet, Caldwell, Comal, Fayette, Gillespie, Guadalupe, Hays, Kendall, Kerr, Kimble, Lee, Travis and Williamson Counties.

Waco District
Personnel also stationed in Belton, Bryan and Llano.

District comprised of Bell, Bosque, Brazos, Burleson, Coryell, Falls, Freestone, Grimes, Hamilton, Hill, Lampasas, Leon, Limestone, Llano, Madison, Mason, McLennan, Milam, Mills, Navarro, Robertson, San Saba and Washington Counties.

Victoria District
Personnel also stationed in Brazoria, Richmond, Sealy and Wharton.

District comprised of Austin, Brazoria, Calhoun, Colorado, DeWitt, Fort Bend, Goliad, Gonzalez, Jackson, Lavaca, Matagorda, Refugio, Victoria, Waller and Wharton Counties.

REGION 5 – SAN ANTONIO

San Antonio District
Personnel also stationed in Del Rio, Floresville, and Hondo

District comprised of Atascosa, Bandera, Bexar, Dimmit, Edwards, Frio, Karnes, Kinney, LaSalle, Maverick, Medina, Real, Sutton, Uvalde, Val Verde, Wilson and Zavala Counties.

Corpus Christi District
District comprised of Aransas, Bee, Jim Wells, Kleberg, Live Oak, McMullen, Nueces and San Patricio Counties.

McAllen District
Personnel also stationed in Laredo and San Benito.
District comprised of Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Kenedy, Starr, Webb, Willacy and Zapata Counties.

ENFORCEMENT AGENT ACTIVITIES IN FY 2009

During the course of FY 2009, enforcement agents conducted 115,705 inspections in order to verify compliance with the state's alcoholic beverage laws. Of these, 87,938 involved licensed business. The remainder targeted unlicensed locations. 26,344 compliance checks were conducted at "priority" locations, licensed business with a past history of public safety violations. The compliance rate for inspections of all licensed business (percent of inspections during which no violations were found) was 92.4 percent. The compliance rate for inspections of priority locations was 93.1 percent.

ADDENDUM C.3 (Continued)

In addition to inspections, agents also conducted and completed 8,215 complaint investigations involving 11,922 alleged violations of state alcoholic beverage laws. The allegations investigated came from the general public, elected officials, other public agencies, agency licensees, and even the agency's own employees. While a good-faith effort was made to substantiate each allegation, only 27.4 percent of the investigations resulted in the discovery of chargeable violations.

ADMINISTRATIVE CASES FILED BY ENFORCEMENT AGENTS IN FY 2009

Enforcement agents filed 3,036 cases for administrative violations of the Alcoholic Beverage Code in FY 2009, of which 2,933 have been docketed to date. Of the docketed cases, 229 cases are yet to be resolved, 578 have been "restrained" as per the requirements of Section 106.14 of the Texas Alcoholic Beverage Code, 1,924 have resulted in suspension of licensing privileges or payment of civil penalties in lieu of suspension, and 113 have resulted in cancellation. Civil penalty payments received to date as a consequence of administrative cases filed by Enforcement agents in FY 2008 total to $2,963,050.

Docketed Enforcement Administrative Cases Originating in FY 2009	
Pending (No Disposition)	229
Restrained (Section 106.14)	578
Suspension or Civil Penalty Payment	1,924
Cancellation	113
Dismissed	72
Other Dispositions	17
Total Docketed Cases	2,933

CRIMINAL CASES FILED BY ENFORCEMENT AGENTS IN FY 2009

Enforcement agents issued 1,541 criminal warnings in FY 2009 and filed 10,179 criminal cases. The outcomes of 7,603 of these cases are not yet known, but of the 2,576 cases for which dispositions have been obtained, 1,616 resulted in conviction, deferred adjudication or pre-trial diversion, and 745 involved cases in which agents assisted police officers from other agencies, acted on arrest warrants issued by the courts for cases brought by other agencies, or handed violators over to the custody of juvenile authorities or other agencies as required by federal or state statutes for final disposition of their cases. In addition, 214 cases were refused by prosecutors or dismissed by the courts, and 1 case resulted in the defendant's acquittal.

STILL SEIZURES

Enforcement agents seized no stills if FY 2009.

COMPLIANCE REGIONS AND OFFICES

The Compliance Division maintains twenty-four field offices that are combined into five regions. The five Compliance regions are responsible for the same Texas counties as the Enforcement Regions. During the 2009 fiscal year, Compliance field offices were maintained in the following cities:

ADDENDUM C.3 (Continued)

Region #1: **Lubbock*,** Amarillo, El Paso, Abilene, Odessa, Wichita Falls
Region #2: **Dallas*,** Fort Worth, Longview, McKinney
Region #3: **Houston*,** Beaumont, Galveston, Conroe
Region #4: **Austin***, Waco, Victoria, Richmond, San Marcos, Bryan
Region #5: **San Antonio*,** Corpus Christi, Laredo, McAllen

*Cities in **boldface** are the locations of regional offices

COMPLIANCE ACTIVITIES

The Compliance Division performs a wide range of activities to fulfill its goal of ensuring compliance with the Alcoholic Beverage Code in the manufacturing, importing, exporting, transporting, storing, selling, serving, and distributing of alcoholic beverages. During FY 2009, Compliance auditors conducted 22,933 inspections of licensed or proposed businesses and performed 1,088 tax, fee, or records audits or analyses to ensure compliance with the state's alcoholic beverage regulations. As a result of these audits and analyses, auditors recovered $13,062 in tax and fee delinquencies owed to the state. In addition, Auditors and other Compliance personnel also provided information or instruction related to the Alcoholic Beverage Code to 55,114 persons and processed 72,548 credit law notices of default, while the Compliance Division's Marketing Practices Supervisor reviewed 273 advertising proposals submitted by various members of the alcoholic beverage industry and approved 218 of those proposals.

COMPLIANCE ADMINISTRATIVE ENFORCEMENT ACTIONS

During the course of their duties, Auditors issued 1,213 administrative warnings and filed 498 administrative cases for various violations of the Alcoholic Beverage Code. Of the administrative cases filed by auditors in FY 2009, 493 have been docketed to date. Ten (10) of these cases are yet to be resolved. As for the remainder, 425 have resulted in suspension of licensing privileges or payment of civil penalties in lieu of suspension, nine (9) have resulted in cancellation, and 33 have been dismissed. Sixteen (16) resulted in other dispositions. Civil penalty payments received to date as a consequence of administrative cases filed by Compliance in FY 2009 total to $236,450.

Compliance personnel also initiated 153 summary suspensions of alcoholic beverage permits at the request of the Office of the Comptroller of Public Accounts for failure to pay or timely report Mixed Beverage Gross Receipt Taxes to that agency. In addition, 83 summary suspensions were initiated by Compliance personnel for failure to maintain required tax bonds and nine (9) more were initiated following agency audits for failure to pay or timely report excise taxes.

Docketed Compliance Administrative Cases Originating in FY 2009	
Pending (No Disposition)	10
Suspension or Civil Penalty Payment	425
Cancellation	9
Dismissed	33
Other Dispositions	16
Total Docketed Cases	493

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ADDENDUM C.3 (Continued)

INVENTORY OF CONFISCATED LIQUORS

ENFORCEMENT DISTRICTS	DISTILLED SPIRITS				
	200 ML	375 ML	750 ML	Liter	Other
Amarillo	0	0	9	10	6
Lubbock	0	0	9	90	0
Wichita Falls	0	2	2	1	2
Abilene	27	4	5	4	7
Fort Worth	0	0	10	67	23
Dallas	0	8	81	134	40
El Paso	3	6	135	533	70
Odessa	0	0	3	0	2
Austin	52	21	7	25	8
Waco	1	6	30	20	15
Bryan	0	2	13	17	51
Longview	174	2	6	2	342
San Antonio	57	6	95	119	28
Houston	2	9	202	250	135
Galveston	0	0	6	10	8
Beaumont	8	4	36	5	13
Conroe	0	14	37	6	31
Corpus Christi	0	0	2	19	2
McAllen	1	21	55	322	24
Victoria	2	0	11	8	6
TOTALS	327	105	754	1,642	813

WINE		MALT LIQUOR		BEER		
750 ML or Less	Other	12 oz.	Other	12 oz.	16 oz.	Other
0	2	6	8	288	0	2
20	7	0	0	627	0	22
0	0	0	0	425	0	3
2	1	0	10	1,115	16	25
28	3	4	26	5	2	6
100	24	0	2	758	0	59
33	15	0	14	1,671	0	133
0	0	0	1	160	24	1
18	0	0	12	537	25	10
0	0	0	2	191	0	1
7	2	30	8	2,473	0	2
11	1	0	7	86	6	10
24	43	40	31	1,395	84	19
333	9	0	28	2,140	10	69
66	0	30	5	115	1	1
6	0	17	12	718	13	0
11	4	0	0	406	2	3
45	19	0	0	0	0	3
33	3	10	22	2,014	6	49
20	0	0	0	654	16	36
757	133	137	188	15,778	205	454

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM D
CONTESTED ADMINISTRATIVE CASES -- CASES NOT SETTLED IN FIELD OFFICES AND REFERRED TO LEGAL SECTION
For the Fiscal Year Ended August 31, 2009

Month	Number of Cases Docketed	Number of Violations Charged	Number of Hearings	Civil Penalties Collected	Days Suspended
September 2008	62	73	2	$70,400.00	221
October 2008	60	48	6	39,500.00	393
November 2008	55	66	5	17,500.00	263
December 2008	63	75	9	69,150.00	74
January 2009	28	41	3	38,500.00	518
February 2009	51	65	5	51,450.00	221
March 2009	40	48	17	114,200.00	144
April 2009	35	46	7	94,200.00	599
May 2009	67	94	7	77,100.00	184
June 2009	64	71	6	51,700.00	165
July 2009	53	68	3	46,650.00	234
August 2009	53	68	14	77,900.00	220
Total	631	763	84	$748,250.00	3,236

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM E
WET-DRY STATUS OF TEXAS COUNTIES
For the Fiscal Year Ended August 31, 2009

+Indicates sale of mixed beverages is legal in all or part of county (135)
*Indicates counties totally wet for distilled spirits for off premises consumption (64); partially wet for the sale of distilled spirits for off premises consumption (133)

COUNTIES IN WHICH DISTILLED SPIRITS ARE LEGAL: 204

Anderson+
Angelina+[1]
Aransas+*
Archer
Atascosa
Austin+*
Bandera+
Bastrop+*
Bee+
Bell+
Bexar+*
Blanco+
Bosque+
Bowie+[1]
Brazoria+
Brazos+*
Brewster+*
Briscoe
Brooks+*
Brown+
Burleson
Burnet+
Caldwell+
Calhoun+
Callahan
Cameron+*
Camp
Carson
Cass
Castro
Chambers+
Cherokee+
Childress+*
Coleman
Collin+
Colorado+*
Comal+*
Comanche
Cooke+
Coryell
Cottle+*
Crockett*
Crane*
Culberson*
Dallam*
Dallas+
Dawson+
Deaf Smith*
Denton+
DeWitt+
Dickens
Dimmitt+*
Donley+
Duval+*
Eastland
Ector+*
Edwards
El Paso+*
Ellis+
Falls
Fannin
Fayette+*
Foard+*
Fort Bend+*
Freestone
Frio+
Galveston+
Garza
Gillespie+
Goliad+*
Gonzales
Gray
Grayson+
Gregg+
Grimes+
Guadalupe+*
Hale+
Hall
Hamilton
Hardeman+*
Hardin
Harris+
Harrison
Hartley
Haskell
Hays+
Henderson+
Hidalgo+*
Hill+
Hockley+
Hood+
Hopkins
Houston+[1]
Howard+
Hudspeth+*
Hunt+
Hutchinson
Jack
Jackson+
Jasper+
Jeff Davis+
Jefferson+
Jim Hogg+*
Jim Wells+
Johnson+[1]
Karnes+*
Kaufman+
Kendall+*
Kenedy+*
Kerr+
Kimble*
King
Kinney+*
Kleberg+
Knox
Lamar+
Lamb
Lampasas+
La Salle+*
Lavaca+
Lee+*
Leon+
Liberty+
Live Oak
Llano+
Lubbock+
Madison+[1]
Marion+
Matagorda+
Maverick+
McCulloch+
McLennan+
Medina+
Menard*
Midland+*
Milam+[1]
Mills
Mitchell+*
Montague+
Montgomery+
Moore+*
Nacogdoches
Navarro+
Newton
Nolan
Nueces+*
Orange+
Palo Pinto
Parker+
Pecos+
Polk+
Potter+
Presidio+*
Rains+
Randall+
Reagan*
Red River
Reeves+*
Refugio*
Robertson+
Rockwall+
Runnels
Sabine
San Augustine
San Jacinto
San Patricio+
San Saba
Schleicher*
Scurry+*
Shackelford
Shelby
Smith+[1]
Starr+*
Stonewall
Sutton+*
Swisher
Tarrant+
Taylor+
Terrell*
Titus
Tom Green+
Travis+

1 County wet, at least in part, for the sale of mixed beverages in restaurants but not wet for off-premises sales of distilled spirits.

Trinity*	Walker+	Wichita+	Wise+
Upshur	Waller*	Wilbarger+*	Young
Upton*	Ward*	Willacy+	Zapata+*
Uvalde	Washington+*	Williamson+	
Val Verde+*	Webb+*	Wilson+	Zavala+
Victoria+*	Wharton+*	Winkler*	

IN WHICH ONLY 4% BEER IS LEGAL: 6

Some counties are only partially wet.

Baylor	Iron	Oldham
Concho	Mason	Stephens

COUNTIES IN WHICH 14% OR LESS ALCOHOLIC BEVERAGES ARE LEGAL: 13

Some counties are only partially wet.

Clay	Limestone	Somervell
Cochran	Lipscomb	Terry
Coke	Loving	Van Zandt
Erath	McMullen	
Glasscock	Real	

COUNTIES ENTIRELY DRY: 31

Andrews	Hansford	Roberts
Armstrong	Hemphill	Ruck
Bailey	Jones	Sherman
Borden	Kent	Sterling
Collingsworth	Lynn	Throckmorton
Crosby	Martin	Tyler
Delta	Morris	Wheeler
Fisher	Motley	Wood
Floyd	Ochiltree	Yoakum
Franklin	Panola	
Gaines	Parmer	

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM F
LOCAL OPTION ELECTIONS
For the Fiscal Year Ended August 31, 2009

There were 83 local option elections held in 61 jurisdictions during the fiscal year that ended August 31, 2009. Elections to authorize the sale of alcoholic beverages were called for each of the following issues: (1) The legal sale of beer; (2) The legal sale of beer and wine; (3) The legal sale of beer and wine for off-premises consumption only; (4) The legal sale of all alcoholic beverages for off premises consumption only; (5) The legal sale of all alcoholic beverages except mixed beverages; (6) The legal sale of all alcoholic beverages including mixed beverages; and (7) The legal sale of mixed beverages in restaurants by food and beverage certificate holders only. A prohibitory election was also called on the issue of "For or Against the legal sale of all alcoholic beverages including mixed beverages."

As a result of these elections, several of which were held the same day for the same jurisdictions, 49 jurisdictions authorized or expanded alcoholic beverages sales and 12 jurisdictions retained their previous status.

The details of the elections are as follow:

Elections Held November 4, 2008

An election was held for Bailey County on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue failed by a vote of 1,009 FOR and 1,241 AGAINST. Bailey County was "dry" for all alcoholic beverage sales before the election and after the election remains "dry" for such sales.

An election was held for the City of Iredell, Bosque County, on November 4, 2008, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 106 FOR and 60 AGAINST. The City of Iredell, Bosque County, was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Morgan, Bosque County, on November 4, 2008 on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue passed by a vote of 60 FOR and 44 AGAINST. The City of Morgan, Bosque County, was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Nash, Bowie County, on November 4, 2008, on the issue of "the legal sale of all alcoholic beverages including mixed beverages." The issue failed by a vote of 220 FOR and 406 AGAINST. The City of Nash, Bowie County, was "dry" for all alcoholic beverage sales before the election and after the election remains "dry" for such sales.

An election was held for Justice of the Peace Precinct 5 as it existed in 1958, Brazoria County, on November 4, 2008, on the issue of "the legal sale of Beer." The issue passed by a vote of 1,143 FOR and 763 AGAINST. Justice of the Peace Precinct 5 as it existed in 1958,

ADDENDUM F (Continued)

Brazoria County, was “dry” for all alcoholic beverages sales before the election and after the election is now “wet” for the sale of beer.

An election was held for Justice of the Peace Precinct 5 as it existed in 1958, Brazoria County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 1,191 FOR and 702 AGAINST. Justice of the Peace Precinct 5 as it existed in 1958, Brazoria County, was “dry” for all alcoholic beverages sales before the election and after the election is “wet” for the sale of beer and wine for off-premises consumption.

An election was held for Justice of the Peace Precinct 5 as it existed in 1958, Brazoria County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders.” The issue passed by a vote of 1,227 FOR and 669 AGAINST. Justice of the Peace Precinct 5 as it existed in 1958, Brazoria County, was “dry” for all alcoholic beverages sales before the election and after the election is “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for Childress County on November 4, 2008. The issue for which the election was called was “For or Against the legal sale of all alcoholic beverages including mixed beverages.” Voters chose to retain their previously established wet/dry status by a vote of 1,420 FOR and 861 AGAINST. Childress County was “wet” for the sale of all alcoholic beverages, including mixed, before the election and after the election remains “wet” for such sales.

An election was held for the City of Melissa, Collin County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue failed by a vote of 815 FOR and 828 AGAINST. The City of Melissa, Collin County, was “wet” only for the sale of beer and wine for off-premises consumption before the election and after the elections remains “wet” only for such sales.

An election was held for the City of Irving, Dallas County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 26,172 FOR 25,404 AGAINST. The City of Irving was “dry” for the sale of beer and wine for off-premises consumption before the election and is now “wet” for such sales.

An election was held for the City of Justin, Denton County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue passed by a vote of 813 FOR and 435 AGAINST. The City of Justin, Denton County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Southlake, Denton and Tarrant Counties, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 8,120 FOR and 2,579 AGAINST. The City of Southlake, Denton and Tarrant Counties, was not “wet” for all beer and wine sales for off-premises consumption before the election but after the election is now “wet” for all sales of beer and wine for off-premises consumption throughout the city.

ADDENDUM F (Continued)

An election was held for the City of Roanoke, Denton & Tarrant Counties, on November 4, 2008, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 1,097 FOR and 497 AGAINST. The City of Roanoke, Denton & Tarrant Counties, was "dry" for the sale of mixed beverages before the election and after the election is now "wet" for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Roanoke, Denton & Tarrant Counties, on November 4, 2008, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue failed by a vote of 790 FOR and 790 AGAINST. The City of Roanoke, Denton & Tarrant Counties, was "wet" for the sale of beer and wine for off-premises consumption before the election and remains wet for such sales. The sale of spirits for off-premises consumption is still prohibited.

An election was held for the City of Cisco, Eastland County, on November 4, 2008, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue failed by a vote of 466 FOR and 590 AGAINST. The City of Cisco, Eastland County, was "dry" for all alcoholic beverage sales before the election and after the election remains "dry" for such sales.

An election was held for the City of Waxahachie, Ellis County, on November 4, 2008, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 2,693 FOR and 2,572 AGAINST. The City of Waxahachie, Ellis County, was "dry" for all alcoholic sales before the election and after the election is "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Waxahachie, Ellis County, on November 4, 2008, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders." The issue passed by a vote of 3,157 FOR and 2,030 AGAINST. The City of Waxahachie, Ellis County, was "dry" for all alcoholic sales before the election and after the election is "wet" for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for Erath County on November 4, 2008, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 8,433 FOR and 4,533 AGAINST. Erath County was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Streetman, Freestone and Navarro Counties, on November 4, 2008, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue passed by a vote of 38 FOR and 8 AGAINST. The City of Streetman, Freestone and Navarro Counties, was "wet" in large part for the sale of all alcoholic beverages for off-premises consumption before the election and after the election was "wet" throughout for such sales.

ADDENDUM F (Continued)

An election was held for the City of Coffee City, Henderson County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 48 FOR and 45 AGAINST. The City of Coffee, Henderson County, was “dry” for mixed beverages before the election and after the election is now “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Malakoff, Henderson County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issues passed by a vote of 332 FOR and 316 AGAINST. The City of Malakoff, Henderson County, was “dry” for the sale of beer and wine for off-premises consumption before the election and after the election is now “wet” for the such sales.

An election was held for the City of Malakoff, Henderson County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders.” The issues passed by a vote of 383 FOR and 248 AGAINST. The City of Malakoff, Henderson County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held of Precinct 4CC, Henderson County, on November 4, 2008, on the issue of “the legal sale of beer and wine.” The issue passed by a vote of 402 FOR and 339 AGAINST. Precinct 4CC, Henderson County, was “wet” only for sales for off-premises consumption before the election and after the election is now “wet” for the sale of beer and wine for both on and off premises consumption.

An election was held for the City of Carl’s Corner, Hill County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue passed by a vote of 33 FOR and 9 AGAINST. The City of Carl’s Corner, Hill County was mostly “wet” for the sale of all alcoholic beverages including mixed beverages, before the election and after the elections is “wet” throughout for such sales.

An election was held for the City of Covington, Hill County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue passed by a vote of 58 FOR and 52 AGAINST. The City of Covington, Hill County, was “wet” only for the sale of beer and wine for off-premises consumption before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Greenville, Hunt County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 4,219 FOR and 3,239 AGAINST. The City of Greenville, Hunt County, was “dry” for all alcoholic beverage sale before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Greenville, Hunt County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 4,714 FOR and 2,712 AGAINST. The City of Greenville, Hunt County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

ADDENDUM F (Continued)

An election was held for the City of Keene, Johnson County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue failed by a vote of 404 FOR and 1,062 AGAINST. The City of Keene, Johnson County, was “dry” for all alcoholic beverage sales before the election and after the election remains “dry” for such sales.

An election was held by court order for the City of Rio Vista, Johnson County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue failed by a vote of 161 FOR and 178 AGAINST. The City was “wet” only for the sale of beer and wine before the election and after the election remains “wet” only for the sale of beer and wine.

An election was held for Justice of the Peace Precinct 4, Leon County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages except mixed beverages.” The issue passed by a vote of 1,093 FOR and 686 AGAINST. Justice of the Peace Precinct 4, Leon County, was “wet” in part for the sale of all alcoholic beverages for off-premises consumption only before the election and after the election is now “wet throughout for the sale of all alcoholic beverages except mixed beverages.

An election was held for the City of Lorena, McLennan County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 535 FOR and 207 AGAINST. The City of Lorena, McLennan County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Lorena, McLennan County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 535 FOR and 207 AGAINST. The City of Lorena, McLennan County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of mixed beverage in restaurants by food and beverage certificate holders.

An election was held for Mitchell County on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue passed by a vote of 1,161 FOR and 988 AGAINST. Mitchell County was “wet” in part for the sale of beer and wine before the election and was also “wet” in part for the sale of all alcoholic beverages for off-premises consumption. After the election, the county is now wet throughout for the sale of all alcoholic beverages, including mixed beverages.

An election was held for Justice of the Peace Precinct 1, Palo Pinto County, on November 4, 2008, on the issue of “the legal sale of beer for off-premises consumption only.” The issue passed by a vote of 925 FOR and 511 AGAINST. Justice of the Peace Precinct 1, Palo Pinto County, was “wet” only in part for the sale of beer for off-premises consumption before the election and after the election is “wet” throughout for such sales.

An election was held for the City of Weatherford, Parker County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue passed by a vote of 5,921 FOR and 3,038 AGAINST. The City of Weatherford, Parker County, was “dry” for all alcoholic beverage sales and after the election is now “wet” for the sale of all alcoholic beverages for off-premises consumption.

ADDENDUM F (Continued)

An election was held for the City of Weatherford, Parker County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificated holders only.” The issue passed by a vote of 5,093 FOR and 3,889 AGAINST. The City of Weatherford, Parker County, was “dry” for all alcoholic beverage sales and after the election is now “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for Scurry County on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue passed by a vote of 3,078 FOR and 2,330 AGAINST. Scurry County was “wet” for the sale of beer and wine before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Albany, Shackelford County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue failed by a vote of 373 FOR and 481 AGAINST. The City of Albany, Shackelford County, was “dry” for all alcoholic beverage sales before the election and after the election remains “dry” for such sales.

An election was held for the City of Tulia, Swisher County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue passed by a vote of 806 FOR and 535 AGAINST. The City of Tulia, Swisher County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for Terry County on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 2,042 FOR and 1,722 AGAINST. Terry County was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Fort Worth, Tarrant County, on November 4, 2008, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 94,136 FOR and 56,740 AGAINST. The City of Forth Worth, Tarrant County, was “wet” only in part for the sale of beer and wine for off-premises consumption before the election and after the election is “wet” throughout for such sales.

An election was held for the City of Fort Worth, Tarrant County, on November 4, 2008, on the issue of the legal sale of mixed beverages in restaurants by food and beverage certificate holders only “.” The issue passed by a vote of 109,943 FOR and 45,645 AGAINST. The City of Forth Worth, Tarrant County, was “wet” only in part for the sale of mixed beverages before the election and after the election is “wet” throughout for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Granger, Williamson County, on November 4, 2008, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 315 FOR and 98 AGAINST. The City of Granger, Williamson County, was “wet” for all alcoholic beverage sales except mixed beverages before the election and after the election is now also “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

ADDENDUM F (Continued)

An election was held for the City of Bridgeport, Wise County, on November 4, 2008, on the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue passed by a vote of 743 FOR and 289 AGAINST. The City of Bridgeport, Wise, county was “wet” in part for the sale of all alcoholic beverages including mixed beverages, before the election and after the election is now “wet” throughout for such sales.

An election was held for the City of Olney, Young County, on November 4, 2008, on the the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue failed by a vote of 572 FOR and 581 AGAINST. The City of Olney, Young County, was “dry” for all alcoholic beverages sales before the election and after the election remains “dry.”

Elections Held May 9, 2009

An election was held for the City of Megargel, Archer County, on May 9, 2009, the issue of “the legal sale of beer and wine.” The issue passed by a vote of 15 FOR and 12 AGAINST. The City of Megargel, Archer County, was “wet” for the sale of all alcoholic beverages for off-premises consumption before the election and after the election is now also “wet” for the sale of beer and wine for on-premises consumption.

An election was held for the City of Muleshoe, Bailey County, on May 9, 2009, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue failed by a vote of 414 FOR and 543 AGAINST. The City of Muleshoe, Bailey County, was “dry” before the election and remains “dry” after the election.

An election was held for the City of Nolanville, Bell County, on May 9, 2009, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue passed by a vote of 126 FOR and 73 AGAINST. The City of Nolanville, Bell County, was “wet” only for the sale of beer and wine for off-premises consumption before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Meridian, Bosque County, on May 9, 2009, on the issue of “the legal sale of all alcoholic beverages including mixed beverages.” The issue passed by a vote of 135 FOR and 128 AGAINST. The City of Meridian, Bosque County, was “dry” before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Skellytown, Carson County, on May 9, 2009, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 131 FOR and 22 AGAINST. The City of Skellytown, Carson County, was “dry” before the election and is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Rusk, Cherokee County, on May 9, 2009, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 356 FOR and 326 AGAINST. The City of Rusk, Cherokee County, was “dry” before the election and after the election is now “wet’ for the sale of beer and wine for off-premises consumption.

ADDENDUM F (Continued)

An election was held for the City of Rusk, Cherokee County, on May 9, 2009, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 379 FOR and 301 AGAINST. The City of Rusk, Cherokee County, was "dry" before the election and after the election is now "wet' for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Melissa, Collin County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages except mixed beverages." The issue failed by a vote of 490 FOR and 705 AGAINST. The City of Melissa, Collin County, was "wet" only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants by food and beverages certificate holders before the election and after the election remains "wet" only for such sales.

An election was held for the City of Princeton, Collin County, on May 9, 2009, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 231 FOR and 192 AGAINST. The City of Princeton, Collin County, was "dry" before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of De Leon, Comanche County on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages, including mixed beverages." The issue failed by a vote of 265 FOR and 267 AGAINST. The City of De Leon, Comanche County was "dry" before the election and after the election remains "dry."

An election was held for the City of Glenn Heights, Dallas and Ellis Counties, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue passed by a vote of 304 FOR and 288 AGAINST. The City of Glenn Heights, Dallas and Ellis Counties, was "wet" only for the sale of mixed beverages in restaurants by food and beverage certificate holders before the election and after the election, in addition to such sales, is also "wet" for the sale of all alcoholic beverages for off-premises consumption.

An election was held for Justice of the Peace Precinct 2, Denton County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages including mixed beverages." The issue passed by a vote of 643 FOR and 474 AGAINST. Justice of the Peace Precinct 2, Denton County was "wet" only for the sale of beer and wine before the election and after the election is now "wet" for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Westlake, Denton and Tarrant Counties, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue passed by a vote of 65 FOR and 50 AGAINST. The City of Westlake, Denton and Tarrant Counties, was "wet" in part for the sale of wine for off-premises consumption and for the sale of mixed beverages in restaurants by food and beverage certificate holders before the election and after the election is "wet" throughout for the sale of all alcoholic beverages for off-premises consumption.

ADDENDUM F (Continued)

An election was held for the City of Westlake, Denton and Tarrant Counties, on May 9, 2009, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 102 FOR and 14 AGAINST. The City of Westlake, Denton and Tarrant Counties, was "wet" in part for the sale of wine for off-premises consumption and for the sale of mixed beverages in restaurants by food and beverage certificate holders before the election and after the election is "wet" throughout for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for Justice of the Peace Precinct 3, Hays County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages, including mixed beverages." The issue passed by a vote of 1,133 FOR and 234 AGAINST. Justice of the Peace Precinct 3, Hays County, was "wet" only for the sale of beer and wine for off-premises consumption before the election and after the election is now "wet" for the sale of all alcoholic beverages, including mixed beverages.

An election was held for the City of Cleburne, Johnson County, on May 9, 2009, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 1,665 FOR and 927 AGAINST. The City of Cleburne, Johnson County, was "dry" before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Cleburne, Johnson County, on May 9, 2009, on the issue of "the legal sale of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 1,735 FOR and 845 AGAINST. The City of Cleburne, Johnson County, was "dry" before the election and after the election is now "wet" for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Rio Vista, Johnson County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages except mixed beverages." The issue passed by a vote of 166 FOR and 153 AGAINST. The City of Rio Vista, Johnson County, was "wet" only for the sale of beer and wine before the election and after the election is "wet" for the sale of all alcoholic beverages except mixed Beverages. (NOTE: Election results overturned by State District Court due to irregularities in application for petition. As result of the court's action, Rio Vista returned to the status held before the election.)

An election was held for the City of Paris, Lamar County, on May 9, 2009, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 1,627 FOR and 1,396 AGAINST. The City of Paris, Lamar County, was "dry" before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Paris, Lamar County, on May 9, 2009, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 1,711 FOR and 1,301 AGAINST. The City of Paris, Lamar County, was "dry" before the election and after the election is now "wet" for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Reno, Lamar County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue failed by a vote of 247 FOR and 463 AGAINST. The City of Reno, Lamar County, was "dry" before the election and after the election remains "dry."

ADDENDUM F (Continued)

An election was held for Justice of the Peace Precinct 1, Lampasas County, on May 9, 2009, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 477 FOR and 214 AGAINST. Justice of the Peace Precinct 1, Lampasas County, was “wet” only in part for the sale of beer and wine for off-premises consumption before the election and after the election is now “wet” throughout for such sales.

An election was held for the City of Buffalo, Leon County, on May 9, 2009, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 181 FOR and 160 AGAINST. The City of Buffalo, Leon County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Buffalo, Leon County, on May 9, 2009, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 186 FOR and 151 AGAINST. The City of Buffalo, Leon County, was “dry” before the election and after the election is now “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for Lubbock County on May 9, 2009, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue passed by a vote of 32,313 FOR and 17,864 AGAINST. Lubbock County was “wet” only in part for the sale of all alcoholic beverages for off-premises consumption before the election and after the election is now “wet’ throughout for such sales.

An election was held for Lubbock County on May 9, 2009, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 34,560 FOR and 15,191 AGAINST. Lubbock County was “wet” only in part for the sale of mixed beverages before the election and after the election is now “wet” throughout for the sale of mixed beverages in restaurants by holders of food and beverage certificates.

An election was held for the City of Saint Jo, Montague County, on May 9, 2009, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 135 FOR and 96 AGAINST. The City of Saint Jo, Montague County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Saint Jo, Montague County, on May 9, 2009, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue passed by a vote of 130 FOR and 99 AGAINST. The City of Saint Jo, Montague County, was “dry” before the election and after the election is now “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Saint Jo, Montague County, on May 9, 2009, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue passed by a vote of 142 FOR and 89 AGAINST. The City of Saint Jo, Montague County, was “dry” before the election and after the election is now “wet” for the sale of mixed beverages in restaurants by food and beverage certificate holders.

ADDENDUM F (Continued)

An election was held for the City of Emory, Rains County, on May 9, 2009, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue passed by a vote of 246 FOR and 116 AGAINST. The City of Emory, Rains County, was "dry" before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Emory, Rains County, on May 9, 2009, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 248 FOR and 111 AGAINST. The City of Emory, Rains County, was "dry" before the election and after the election is now "wet" for the sale mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City Hearne, Robertson County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages including mixed beverages." The issue passed by a vote of 676 FOR and 309 AGAINST. The City Hearne, Robertson County, was partially "wet" for the sale of beer for on-premises consumption and for the sale of all alcoholic beverages for off-premises consumption before the election and after the election is now "wet" throughout for the sale of all alcoholic beverages including mixed beverages.

An election was held for Justice of the Peace Precinct 4, Smith County, on May 9, 2009, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue failed by a vote of 1,311 FOR and 1,461 AGAINST. Justice of the Peace Precinct 4, Smith County, was "dry" for the sale of beer and wine for off-premises consumption before the election and after the election remains "dry" for such sales.

An election was held for Justice of the Peace Precinct 4, Smith County, on May 9, 2009, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue past by a vote of 1,400 FOR and 1,358 AGAINST. Justice of the Peace Precinct 4, Smith County, was "dry" for mixed beverages sales before the election, and after the election is now "wet" for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Winona, Smith County, on May 9, 2009, on the issue "the legal sale of all alcoholic beverages for off-premises consumption only." The issue failed by a vote of 94 FOR and 94 AGAINST. The City of Winona, Smith County, was "dry" before the election and after the election remains "dry" for the sale of all alcoholic beverages for off-premises consumption. RESULTS OVERTURNED BY COURT. NEW ELECTION ORDERED FOR 11/03/2009.

An election was held for the City of Winona, Smith County, on May 9, 2009, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue passed by a vote of 97 FOR and 90 AGAINST. The City of Winona, Smith County, was "dry" before the election and after the election is now "wet' for the sale of mixed beverages in restaurants by food and beverage certificate holders.

An election was held for the City of Buffalo Gap, Taylor County, on May 9, 2009, on the issue of "the legal sale of all alcoholic beverages, including mixed beverages." The issue failed by a vote of 48 FOR and 70 AGAINST. The City of Buffalo Gap "was" wet for the sale of all alcoholic beverages except mixed beverages and after the election remains wet only for such sales.

ADDENDUM F (Continued)

An election was held for the City of Wills Point, Van Zandt County, on May 9, 2009, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue passed by a vote of 464 FOR and 276 AGAINST. The City of Wills Point, Van Zandt County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM G.1
DETAIL STATEMENT OF COLLECTIONS
For the Fiscal Years Ended August 31, 2008 and 2009

	2008	2009	Increase (Decrease)
LICENSE & PERMIT FEES	$	$	$
Alcoholic Beverage Permits	46,997,446	64,970,921	17,973,475
TAXES			
Collected on Audits	201,433	538,337	336,904
Direct Liquor Tax	125,694	123,844	(1,850)
Excise Tax-Distilled Spirits	63,910,236	65,416,030	1,505,794
Excise Tax-Wine	10,170,355	10,313,336	142,981
Excise Tax-Malt Liquor	7,218,688	7,935,584	716,896
Excise Tax-Beer	108,216,600	109,066,711	850,111
Airline Beverage Tax	203,246	191,061	(12,185)
Cigarette Tax	903,122	890,264	(12,858)
TOTAL TAXES	190,949,374	194,475,167	3,525,793
CONFISCATED LIQUOR SALES	25,858	25,780	(78)
MISCELLANEOUS			
Fines	3,540,300	3,802,050	261,750
Admin Fees-Ports	1,121,565	1,104,430	(17,135)
Admin Fees-Licensing	22,600	16,575	(6,025)
Server Training Fees	559,625	573,075	13,450
Label Approval	365,775	320,450	(45,325)
Bond Forfeitures	465,000	571,000	106,000
Other Miscellaneous Revenue	153,803	191,343	37,540
TOTAL MISCELLANEOUS	6,228,668	6,578,923	350,255
Unassigned Revenue*	120,988	792,945	671,957
TOTAL REVENUE	244,322,334	266,843,736	22,521,402

ADDENDUM G.2
PER CAPITA CONSUMPTION
For the Fiscal Year Ended August 31, 2009

	Gross Tax Reported	Total Tax Collections	Total Gallons	Per Capita Consumption
	$	$		
Distilled Spirits	65,927,817	64,310,372	27,469,924	1.1250
Wine	10,669,776	10,302,306	46,322,634	1.8971
Malt Liquor	8,099,224	7,907,764	40,905,172	1.6753
Beer	111,206,646	108,853,321	574,568,820	23.5312

NOTE:
Statistics based on tax collections by the Tax Section and population estimates from the Comptroller of Public Accounts "Economic and Population Forecast Summary" on fiscal year 2009 of 24,417,278 Texas inhabitants.

ADDENDUM G.3
HISTORICAL SUMMARY OF REVENUE COLLECTIONS
For the Fiscal Year Ended August 31, 2009

Fiscal Year	Revenue
November 16, 1935 to August 31, 2000	$ 8,097,923,824
2001	195,295,269
2002	197,481,482
2003	203,317,767
2004	208,255,848
2005	209,689,470
2006	227,430,640
2007	234,401,313
2008	244,322,334
2009	266,843,736
TOTAL REVENUE	$ 10,084,961,683

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TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

Please visit our web site at www.tabc.state.tx.us for more information about the Texas Alcoholic Beverage Commission.