COMMISSION MEETING

March 28, 2008

Texas Alcoholic Beverage Commission
5806 Mesa Drive
Austin, Texas 78731

John Steen, Chairman
San Antonio

José Cuevas, Jr., Member
Midland

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

REGULAR COMMISSION MEETING

10:30 a.m. – March 28, 2008

5806 Mesa Drive
Austin, Texas 78731
Friday, March 28, 2008
10:30 a.m.*

AGENDA

*Reception scheduled for 10:00 a.m. in the lobby.

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<td>11. Executive Session to Consult with Legal Counsel Regarding Pending and Anticipated Litigation Against the Agency and to Discuss the Duties, Responsibilities, and Evaluation of the Administrator (Govt. Code §551.071, §551.074)</td>
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Note: Items may not necessarily be considered in the order they appear on the agenda.
- Executive session for advice of Counsel (pursuant to §551.071 of the Government Code) may be called regarding any agenda item.
- Action may be taken on any agenda item.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services (such as interpreters for persons who are deaf, hearing impaired readers, large print, or Braille) are requested to contact Renee Johnston at (512) 206-3217 (voice) (512) 206-3203 (fax), or (512) 206-3270 (TDD), at least three (3) days prior to the meeting so that appropriate arrangements can be made.
MINUTES

REGULAR COMMISSION MEETING

10:30 a.m. – March 28, 2008

5806 Mesa Drive
Austin, Texas 78731
The Commissioners of the Texas Alcoholic Beverage Commission (TABC) met in Regular Session on Friday, March 28, 2008, at the Texas Alcoholic Beverage Commission, 5806 Mesa Drive, Suite 185, Austin, Texas.

PRESIDING OFFICER: John Steen

COMMISSIONERS PRESENT: Jose Cuevas, Jr.
Steven M. Weinberg, MD, JD

STAFF PRESENT: Alan Steen, Administrator

Mike Barnett, Sergeant, Houston
Carolyn Beck, Public Information Officer, Executive
Doris Board, Agent, Waco
Lou Bright, General Counsel, Legal Services
John Busby, Sergeant, Dallas
Steven Cagle, Agent, Beaumont
Aida Cantu, Agent, McAllen
Ron Clinton, Agent, Lufkin
Charlie Cloud, Sergeant, Fort Worth
Sherry Cook, Assistant Administrator
Tom Dickson, Lieutenant, Waco
Loretta Doty, Director of Human Resources
Sheila Doyle, Agent, Austin
Diana Gonzalez, Director of Tax Division
Steve Greinert, Acting Assistant Director, Tax Division
Esther Guzman, Accounts Examiner, San Antonio
Amy Harrison, Director of Licensing
Joe Iagnemmo, System Support Specialist, Information Resources
Linda Jackson, Administrative Assistant, Compliance
Tanya Jimenez, Administrative Assistant, Executive
Renee Johnston, Executive Assistant, Executive
Dexter Jones, Assistant Chief of Field Operations  
Jo Ann Joseph, Assistant Director of Licensing  
Charlie Kerr, Director of Business Services  
Allen King, TABC Contracted Internal Auditor  
Vanessa Mayo, Auditor, Compliance  
Susan McElwain, Director of Policy and Planning, Legal  
Jennifer Micallef, Training Coordinator, Human Resources  
Patsy Mitchell, Clerk, Odessa  
Joel Moreno, Chief of Field Operations  
Randy Motz, Lieutenant, Abilene  
Joy Murray, Chemist, Tax Division  
Gloria Reed, Administrative Assistant, Executive  
Robert Saenz, Lieutenant, Austin  
Santos Saldana, Jr., Program Administrator, Ports of Entry-Headquarters  
Harold Schreffler, Lieutenant, Houston  
Craig Smith, Lieutenant, McAllen  
Karen Smithwick, Regional Compliance Supervisor, San Antonio  
Jay Webster, Acting Director of Information Resources  
Kim Williamson, Agent, Abilene

**GUESTS PRESENT:**

Janiece Attal, Learn2Serve  
Karen Barnett, Guest  
M. L. Calcote, Republic National Distributing Company  
Michael Fannin  
Glen Garey, Texas Restaurant Association  
Alan Gray, Licensed Beverage Distributors  
Fred Marosko, Texas Package Stores Association  
Charles McGrigg, Wine Institute  
Steve Ross, Texans Standing Tall  
Joy Sisson, Learn2Serve  
Robert Sparks, Licensed Beverage Distributors  
Don Walden, Attorney for TWGGA

**CALL TO ORDER**

Presiding Officer and Chairman John Steen called the meeting of the Texas Alcoholic Beverage Commission to order.
OATH OF OFFICE

Chairman Steen administered the oath of office to newly appointed Commissioner Steven M. Weinberg. Chairman Steen welcomed Commissioner Weinberg, who expressed his pleasure to be able to serve on the TABC board.

RECOGNITION OF AGENCY EMPLOYEES WITH 20 OR MORE YEARS OF SERVICE

Chairman Steen called upon Chief of Field Operations Joel Moreno, and Sherry Cook, Support Services Assistant Administrator. The following staff were recognized (Attachment 1):

Field Operations
   25 Years of Service:
      - Laura Willingham
   20 Years of Service:
      - Mike Barnett
      - Doris Board
      - Art Brandenburg
      - John Busby
      - Steven Cagle
      - Ron Clinton
      - Charlie Cloud
      - Tom Dickson
      - Esther Guzman
      - Ruben Suarez
      - Kim Williamson

Support Services
   25 Years of Service:
      - Santos Saldana, Jr.

Each was presented plaques, with the exceptions of Laura Willingham, Art Brandenburg, and Ruben Suarez, who were unable to attend and would be presented their plaques at a later time.

Chairman Steen took the opportunity to thank the family members of these employees, recognizing that many have endured the transfers and long hours.

2007 ALLAN SHIVERS, JR., AWARDS FOR EXCELLENCE IN PUBLIC SERVICE – EMPLOYEE OF THE YEAR AWARDS

Chairman Steen explained that Allan Shivers was unable to attend the awards presentation; however, the Chairman expressed the privilege he felt to make the award presentations on Mr. Shivers' behalf. Chairman Steen stated that the
employee of the year program began in 1995 under Allan Shivers' leadership. After Mr. Shivers retired from the Commission, TABC's governing board renamed the annual awards program in his honor in February 2003. The Allan Shivers, Jr., Award for Excellence in Public Service recognizes the outstanding performance and accomplishments of agency employees in two categories: Commissioned Peace Officer and Civilian. Chairman Steen thanked the employees who took the time to submit nominations to honor their colleagues, and he thanked the agency's department directors for serving on the awards committee.

Chairman Steen announced the Commissioned Peace Officer employee of the Year, Agent Aida Cantu. He read the following concerning her career achievements:

Aida Cantu is a senior agent with the TABC and currently is assigned to the McAllen District Office. Aida received her bachelor's degree in criminal justice from the University of Texas Pan American in Edinburg in 1989. She began her law enforcement career as a police officer for the City of Hidalgo, Texas. One year later, she joined TABC as an agent and has now completed 26 years of service with the Commission. In 26 years of service, Aida has been involved in various assignments and currently is the education coordinator for the McAllen District. She conducts trainings for retailer, civic and community groups, law enforcement officers, and students. She also assists community coalitions and organizations, such as Mothers Against Drunk Driving in developing strategies to reduce underage drinking. In 1994, she was assigned to the Multi-jurisdictional Drug Task Force for one year assigned to work street-level narcotics. Aida holds a master's certification in law enforcement and an instructor's certification through the Texas Commission on Law Enforcement Officers Standards and Education. She is a firearms instructor for TABC. Aida also serves as a training consultant for the Pacific Institute for Research and Evaluation and for the Justice Department's Oath Office of Juvenile Justice and Delinquency Prevention in Maryland.

The Commissioners presented Agent Cantu with the star plaque award.

Chairman Steen then announced the Civilian Employee of the Year, Ms. Patsy Mitchell. He read the following concerning her career achievements:

Patsy Mitchell is a clerk at TABC and currently is assigned to the Odessa district office. She was born and reared in Borger, Texas. In 1975 she married her husband, Randy. Today they are the proud parents of three grown children and four grandchildren. She moved to Odessa in 1993. Her 14-year career with TABC began in
February of 1994 as a Secretary for the Enforcement Division. When Odessa became a regional office Patsy continued her duties as secretary of Enforcement also serving as regional administrative assistant. The regional office eventually relocated, but Patsy remained faithful to the Odessa office where she continues to serve in the capacity of Enforcement Clerk. Patsy enjoys spending time with her family, skeet shooting, and camping. She used to ride motorcycles, but now leaves that to the younger ones. Patsy has excellent technical skills and is always willing to assist a coworker. She conducts her job with courtesy, integrity, and possesses exemplary people skills. A firm believer in everyone working together to obtain the best result for the agency, Patsy exemplifies this belief in all of her daily work. She is a tremendous asset to the Odessa district office and to the TABC.

The Commissioners presented Ms. Mitchell with the star plaque award.

Chairman Steen thanked everyone in attendance for coming to the presentations and invited anyone to stay for the remainder of the meeting.

APPROVAL OF COMMISSION MEETING MINUTES OF FEBRUARY 22, 2008

Chairman Steen called for approval of the Commission meeting minutes of February 22, 2008. Commissioner José Cuevas so moved, and Chairman Steen seconded. The motion carried.

ADMINISTRATOR’S REPORT

Chairman Steen called upon Administrator Steen to provide the Administrator’s report on agency activities, budget issues, and staff achievements. Administrator Steen reported the following:

- Spring Break activities were very successful this year. Staff spent a great deal of time with local retailers, hotels, wholesalers, and distributors prior to Spring Break to ensure everyone was on the same page. The same number of Enforcement personnel was utilized as in the past, and Compliance personnel were utilized for the second year in a row, which is a new initiative in assisting with advertising and other marketing practice issues. Fortunately, there were no alcohol-related deaths during Spring Break this year. Administrator Steen noted that there were some concerns by South Padre Island businesses that there were fewer numbers of people coming to South Padre Island this year, and some avenues attributed that to increased law enforcement. However, Administrator Steen stated that there was no change in the agency’s
enforcement efforts this year, and he was proud of the outcomes of the agency's activities.

- Administrator Steen and Chief Moreno met with State Representative Armando Martinez in the Valley regarding the Dia Del Turista celebration in Nuevo Progreso in which tourists cross the border to Mexico and return, some returning in an intoxicated state. The Representative talked with Administrator Steen and Chief Moreno about the issue and discussed combining resources at the local level on the day of the celebration to warn of the dangers of drinking. Representative Martinez was pleased with the combined efforts. In addition, TASC collected an extra $2,100 in taxes at the port.

- Administrator Steen stated that the strategic planning process was going very well. He stated that Jennifer Micallef would be reporting more in detail on the process later on in the agenda. Statewide, staff have been meeting on the strategic planning issues. In addition, input has been received by industry members and other organizations. A meeting will be held this week in which staff will take the Survey of Organizational Excellence results and address various issues. Administrator Steen commended staff for their participation in this enormous project. Administrator Steen noted that the agenda item was listed as an approval item; however, it could be tabled or left as an information item as the topic will be part of the overall strategic plan that the Commissioners would be approving at the June meeting.

- Phase 1 of ARTS (Agency Tracking and Reporting System) has been released. For the first time in the agency's history, agency field staff can enter original applications, protests, and other information in the field. Administrator Steen stated that this takes the agency into a new era.

- Forty-three in-car laptop computer units have been ordered. The units have cards in them that allow agency staff to interface with the Department of Public Safety (DPS) information line to receive instant information as to such things as existing warrants and parole-type issues on particular individuals the agents are interacting with. Administrator Steen stated that this is a great savings to the state and will be very useful information for field staff. Administrator Steen publicly thanked Colonel Davis from DPS who was amenable in sharing this information. Administrator Steen suggested that the Commissioners pass on the agency's appreciation to the other board members at DPS.

- Administrator Steen recalled that from the last legislative session, TABC received nearly a half-million dollars for public safety equipment. Much of that was spent on in-car radios that can communicate with other local law enforcement. This has been of great benefit to the agency. Other items purchased were body shield replacements and other public safety equipment.
• Administrator Steen stated that the decision had been made to add a recruiter position for the agency so that the best qualified applicants could be found for the agency's vacancies. He stated that this should give the agency an advantage over other state agencies in the competition for the best qualified applicants.

• TABC partnered with the Texas Parks and Wildlife and DPS for the physical fitness requirements for Schedule C employees. The contract is with FitForce, and FitForce representatives are in Austin working with some employees to look at all aspects of fitness, including such things as nutrition and stress control. The employees will then go out to train staff in the field. They will also serve as testers when it is time to report back to the legislature on the physical fitness requirements. The training is very comprehensive and takes approximately four days to complete.

• Administrator Steen reported that the internal audits for the Office of Professional Responsibility, Marketing Practices, and Education and Prevention have been completed and will be placed on future Commission meeting agendas. Allen King the auditor with Russell Gregorczyk's group, has just started the audit on Executive. There are other audits occurring as well, such as the State Auditor's Office audits on the classification of the Public Information Officer and Schedule C positions. The Texas Workforce Commission is also auditing state agency Human Resource Divisions, looking at hiring and promotional policies.

• Administrator Steen discussed pending administrative cases, noting that the Chairman had raised concern over a year ago over the high number of backlogged cases. At that time, there was a pending caseload of 1,200. Administrator Steen was pleased to note that as a result of developing and instituting a plan, there were only 309 pending cases. The field has been settling many more cases now; thus, there are fewer cases coming into the Headquarters' Legal Division. Chairman Steen noted that the decrease in the pending administrative cases was quite an accomplishment.

Commissioner Cuevas stated that he had some questions. Concerning the Administrator's written report under Tax Division, he asked what MAP stood for. Administrator Steen responded that it stood for the Managers Awareness Program. Commissioner Cuevas asked for more information on what program Mindy Carrol, from the Education and Prevention Department, was selected for. Diana Gonzalez, Director of the Tax Division, clarified that it was a national conference held every year by the Nationwide Governors' Office of Highway Safety. The conference was being held this year in Portland, Oregon. Also invited is the National Highway Safety Institute, and they heard about the agency's presentation of the Managers Awareness Program that the Enforcement agents provide to managers of retail establishments. TABC's MAP program was
selected to be showcased at this convention next month, and Mindy Carroll will be presenting it to governors and other safety officials nationwide. In addition, the Oregon Alcoholic Beverage Commission staff of seller-training education heard about the program and have requested that TABC present the program to their state’s staff. Commissioner Cuevas congratulated Ms. Gonzalez, stating that this was a high honor.

Commissioner Cuevas also requested information on the training program involving H-E-B and Exxon. Ms. Gonzalez responded that it was a training program for direct data entry by the seller-training school. She explained that Linda Ahrens, Seller Training Coordinator, has been providing training every Wednesday for the month of March. As of this week, there are 35 seller training schools that will be directly entering the seller-server data certifications into TABC’s system. Ms. Gonzalez added that there will probably be more schools added in April. Commissioner Cuevas asked about the cost savings of having the schools enter the data rather than TABC. Ms. Gonzalez stated that she did not have that information at this time.

Commissioner Cuevas asked Dexter Jones, Director of the Compliance Division, how the retreat went with the Compliance managers. Mr. Jones stated that it went exceptionally well and that the focus was to bring in staff from around the state to assess the core functions of Compliance and how to work smarter and partner better with Enforcement on public safety issues. Individuals were brought in externally to lead team-building exercises for staff. Commissioner Cuevas then asked what was the biggest change following the team-building meeting. Mr. Jones stated that staff left with a positive attitude about embracing the organizational changes. Mr. Jones stated that Compliance is integrating its resources with Enforcement and is taking on Alan Steen’s vision of keeping the good people in business and taking the bad ones out. Commissioner Cuevas asked about the managers looking into happy hour violations. Mr. Jones explained that in trying to assess core functions in how Compliance can impact public safety, one of the ways identified was on-premises inspections that focus on happy hour rules.

Commissioner Cuevas also asked about ride-alongs. Chief Moreno stated that ride-alongs are when citizens or local officials ride along with agents. They are required to sign a waiver of release. Commissioner Cuevas asked if audits were performed to ensure that waivers were being signed and if the waivers are only required of civilians. Chief Moreno stated that audits are performed and that they are required of civilians. General Counsel Lou Bright stated that the agency would be liable, within the terms of the Tort Claims Act, if the agency did negligent harm to someone in some way, such as operating the vehicle negligently. He stated that he believed that a government employee, such as someone with Parks and Wildlife, would be covered under the workers compensation program.
Overall, it is the good judgment of the agency's officers to ensure that ride-along passengers are safe.

Commissioner Cuevas asked Loretta Doty, Human Resources Division Director, about the increased number of Family Medical Leave Act (FMLA) cases that occurred in September. Ms. Doty explained that the FMLA is a federal law for people with illnesses or for caring for family members with illnesses; thus, the number cannot be gauged or controlled.

Commissioner Weinberg expressed his hope to partake in a ride-along in the Dallas-Fort Worth area. He also expressed his interest in the Schedule C fitness standards, stating that he would like to see the Commissioners set the example by meeting those standards. Administrator Steen stated that the standards will be developed soon and that he would send the standards to the Commissioners.

Commissioner Cuevas returned to the topic of TABC using DPS' information line. He stated that he thought it would be nice to have a letter sent from Chairman Steen to DPS' Chair thanking DPS for the use of the information line. Administrator Steen stated that he would prepare a letter for Chairman Steen.

REGION 2 UPDATE

Chairman Steen called upon Sonja Pendergast, Captain, and Bob Wallace, Regional Compliance Supervisor. They presented the Region 2 Update (Attachment 2). Captain Pendergast highlighted field operation activities in the State Fair of Texas, Six Flags, the annual Buzzfree PROMises Dress Giveaway, violations in dry areas, joint operations, Spring Break, and Operation Snake Charmer. Bob Wallace highlighted the wet-dry elections and various licensing and joint compliance/licensing activities in Region 2. He also mentioned the regional focus on service, courtesy, integrity, and accountability.

Commissioner Cuevas asked Mr. Wallace how he sees the agency as a whole now versus a year ago. Mr. Wallace responded it was moving forward and that in his 33 years with the agency, this is the most forward movement he has seen. Commissioner Cuevas asked the same of Captain Pendergast, and she responded that the agency is moving very quickly and in the right direction.

PROPOSED NEW MISSION, VISION, PHILOSOPHY, FOUR CORNERSTONES AND GUIDING PRINCIPLES

Chairman Steen called upon Jennifer Micallef, Training Coordinator of the Human Resources Division, to report on the proposed new mission, vision, philosophy, four cornerstones, and guiding principles.
Ms. Micallef provided an update on the activities that occurred in February regarding the strategic planning process (Attachment 3).

Ms. Micallef explained that the strategic planning process is an alive and action-oriented document; therefore, it was important to integrate the entire agency in the process in order to have ownership of the document. She stated that from the participant aspect, resources were utilized within the agency statewide to invigorate all of the documentation with what was actually going on statewide, noting that there are many regional differences. There were 65 employees that participated in the February meeting from all regions with all divisions equally represented.

From the meeting, five products were created: the mission, vision, philosophy, cornerstones, and guiding principles. Ms. Micallef reviewed each of the products (Attachment 3). Chairman Steen noted that TABC had a mission, and a vision, and a philosophy, and asked whether the cornerstones and guiding principles were new. Ms. Micallef stated that they were new.

Commissioner Weinberg stated that he had been to many retreats in his life, and they were often wonderful exercises in social interactions; however, he did not think he had been to any meeting as productive as the strategic planning meeting that TABC employees attended in February. Commissioner Cuevas concurred that staff did excellent work.

Chairman Steen stated that while this did not have to be an action item at this time, he asked if anyone wished to move forward by making a motion to approve the mission, vision, philosophy, cornerstones, and guiding principles as presented. Commissioner Cuevas so moved, and Commissioner Weinberg seconded. The motion carried.

DISCUSSION OF IMPACT OF JUDGMENT IN SIESTA VILLAGE MARKET ET AL. V. PERRY ET AL.

Chairman Steen called upon General Counsel Lou Bright to discuss the impact of judgment in the Siesta Village market et al. v. Perry et al.

Mr. Bright recounted that the agency was sued by out-of-state retailers claiming that Texas was unconstitutionally discriminating against them because in-state retailers could sell and ship directly to consumers and they could not. Judge Fitzwater ruled that they were correct. Judge Fitzwater ruled that the state of Texas issue retail permits on appropriate applications to out-of-state retailers. Mr. Bright explained that this was new not only for Texas but for other regulatory agencies around the country. The judge ruled that out-of-state retailers must comply with Texas laws, such as buying their product from Texas wholesalers. He explained that this raises an issue for the agency on how to ensure
compliance when issuing a retail permit. The judge ruled that they cannot ship into Texas unless they have the appropriate permit. Mr. Bright stated that because of prior litigation of Dickerson v. Bailey, it had been some years since the agency had been able to enforce the laws against shipping wine to consumers without a permit. Now the agency will need to communicate that there are indeed rules in Texas and the agency intends to enforce them in this matter. Mr. Bright stated that the new conditions need to be communicated as widely as possible, through correspondence and information on the agency's website.

Mr. Bright stated that he would continue to report on the issue as there are developments. The Commissioners commended them for their efforts and for bringing down the pending caseloads.

**PUBLIC COMMENT**

Chairman Steen asked if there was anyone in the audience who wished to provide public comment. No one registered or expressed a desire to provide any public comment.

Chairman Steen asked General Counsel Bright if he could bring up the assignment of Commissioner Weinberg to the one-person Audit Committee at this time. General Counsel Bright stated he thought this would be an appropriate time. Chairman Steen then asked Commissioner Weinberg if he would serve on the Audit Committee meeting; Commissioner Weinberg agreed.

**EXECUTIVE SESSION**

Chairman Steen made the announcement that the regular open session of the Texas Alcoholic Beverage Commission would be recessed, the time being 12:36 p.m., March 28, 2008, and an executive session would be held to consult with Legal Counsel regarding pending and anticipated litigation against the agency and to discuss the duties, responsibilities, and evaluation of the Administrator, pursuant to Texas Government Code, §§551.071 and 551.074.

Chairman Steen announced that the Texas Alcoholic Beverage Commission had concluded its executive session and was in open session, the date being March 28, 2008, and the time, 1:33 p.m. No final action, decision, or vote was made in the executive session.

**NEXT MEETING**

The next meeting date is scheduled for Wednesday, April 30, 10:30 a.m. After some discussion, it was agreed that future meeting dates will be
tentatively set for the fourth Friday of each month. Renee Johnston, Executive Assistant, will send out the future meeting dates for the year to the Commissioners.

ADJOURNMENT

Chairman Steen called for a motion to adjourn. Commissioner Cuevas so moved, and Commissioner Weinberg seconded. The motion carried, and Chairman Steen announced that the meeting was adjourned.
Attachment 1

Recognition of Agency Employees
20 or More Years of Service
25 YEARS OF SERVICE

**Santos Saldaña, Jr.** has been with the Agency for 25 years. He was hired on January 1, 1983 with the Ports of Entry Division. He started his career at the Brownsville POE for a few months and then transferred to Hidalgo POE after that, where he continued working out of that office for the next 14 years. During those 14 years, he and another TABC employee learned how to use the computer. They developed a couple of programs to computerize the daily and weekly reports for POE. This was the first automation for POE. Santos was then sent to all of the ports along the border to install the computer program. In 1997, Santos was promoted to Assistant Director of POE and moved to Austin. He is proud of the fact that he has spent his whole career with POE, working through the ranks from the bottom up to his present position. Since 1997, he has resided in the Austin area and now calls himself a full-time Central Texas resident. His wife and two children also love calling Central Texas their home. He enjoys the outdoors (bird watching, barbecuing, hunting, fishing) and someday hopes to settle in the hill country to enjoy the retired life. His motto: "Life is Good”

**Laura Willingham**, Accounts Examiner II, began her career with the agency on January 3, 1983. Her first position was as a Secretary with the Enforcement Division in the McAllen District Office. Over these 25 years of her state service, she has had the titles of Secretary, Administrative Technician and is currently the Accounts Examiner for the McAllen District Office. She enjoys her work, helping the applicants with their paperwork and is quite knowledgeable of her Licensing duties. Laura’s work effort goes far and beyond the call of duty, often putting in extra time needed to get the job done. Laura has been praised by the public on her positive attitude and her humorous personality, taking in stride the workload of her busy office. On her personal time, Laura enjoys taking motorcycle road trips with her husband, Alan and his bike Club. Walking her beloved family pet (COCO), gardening, and watching the Dallas Cowboys are a few of her favorite things.


20 YEARS OF SERVICE

**Michael Barnett** is a native of the piney woods in East Texas. He was hired by TABC in 1988, in the Baytown Outpost office. He later accepted a transfer to the Houston office after the closing of the Baytown Outpost. He was then transferred to the Galveston Office until taking an investigative Agent position back in the Houston office. In 2000, he was promoted to Sergeant and took the position in the El Paso office. A year later, he took a lateral transfer back to the Houston office as a Sergeant and has remained there since that time. He currently supervises a team of eight Agents and three classified employees. Mike is married to his wife Karen, who he has been married to for 19 years. They, and several loveable pet dogs, live in Alvin, Texas. Mike has studied various martial arts for over 25 years. He is an inductee into the Filipino Martial Arts Hall of Fame and is well known in the martial arts community for his unique knife-fighting system. Mike enjoys knife-making and shooting sports in his time off from the agency.

**Doris Board** began her career in enforcement with TABC in 1988 in Corpus Christi. From Corpus Christi, she worked as an Agent in Dallas and then was temporarily transferred to the Paris District for a year and a half to work undercover narcotics on the Governor's Joint Narcotic Task Force. Once her assignment was completed, she returned to Dallas and eventually transferred to the Waco District Office where she is currently assigned. Doris has been married for 15 years to Shawn, a Police Officer with the City of Beverly Hills, and they have a daughter Katelyn, age 11. She loves being a mom and believes that when you take an active role in your child's life, you become a positive role model, not only for them, but for their friends as well. Doris volunteers at PTA and as a homeroom mother and also helps out with her daughter's softball team. She loves to garden and spend time with her family. She currently holds a Master Peace Officer certificate, Instructors certificate, and was recently certified as an Advanced Handwriting Analyst.

**Art Brandenburg** graduated from "Southwest" Texas State University in 1980 with a Bachelors Degree of Science in Criminal Justice. He began his law enforcement career with the Plano Police Department in 1980 and then joined the TABC in 1988. His first duty station was the Corpus Christi District Office and then to Dallas District Office as an Agent. He was then promoted to Sergeant on June 1, 1996 and transferred to the Abilene District Office. February 1, 2008, he transferred to the McKinney Outpost Office as the Sergeant over McKinney, Denton, Sherman, Greenville and Terrell Offices. Art has been married to Patsy for 27 years, and they have one adult daughter, Tara.
**John Busby** has been employed with TABC since 1988. Prior to coming to TABC, he was employed with the White Settlement Police Department for seven years. His first duty station with TABC was in the Fort Worth District Office. He transferred to the Dallas District Office upon promoting to the rank of Sergeant where he is currently stationed. John has been married to his wife Debbie for 25 years and has two children, JW and Michelle.

**Steven Cagle** was born and raised in the Golden Triangle of Southeast Texas, as the youngest of three brothers. He graduated from Bridge City High School in 1981, and immediately began his career in law enforcement. He worked as a patrol officer with Griffing Park PD, a deputy with Orange County Sheriff's Office, and a patrol officer with Vidor PD, before being hired by TABC in 1988. Steven was initially assigned to the Galveston Outpost for his first year; then he transferred to the Angleton Outpost where he worked for 5 years before coming back home to the Beaumont District, where he has remained for the past 14 years. Steven has a TCLEOSE Instructor's License and a Firearm's Instructor's License, and has been the district Firearms Instructor for the past 2 years. Steven has also been a Field Training Officer and a Background Investigator, and he was just recently promoted to Sergeant in the Beaumont Office. Steven has strong ties with the community, and has established close working relationships with all area law enforcement agencies. Steven and his wife Catherine have a daughter, Courtney, who is 24; and a son, Zachery, who is 14. In his free time, Steven enjoys hunting, fishing, 4-wheeling, riding his motorcycle, and training his two bloodhounds (Duke and Elmer).

**Ron Clinton** started his law enforcement career in 1985 after graduating from the East Texas Police Academy and Sam Houston State University. Ron's first post was with the Panola County Sheriff's Department as a Deputy Sheriff. While at Sam Houston State University, Ron met Jill Martin and in 1987 Ron and Jill were married. Ron says that he has been blessed with Jill and their two sons Cutter, who is now 16 and Cade, who is 12. On Jan. 1, 1988, with the support of his family, Ron started his career with TABC. Ron's first duty station was the Austin District Office; and for the next six years, Ron gained the experience and confidence to accept the Outpost Agent position in Bastrop. Ron spent 12 years on a single man outpost representing the Commission in all aspects of the agency's mission. Being a deep rooted East Texas boy, Ron wanted to return to his hometown. After applying for and receiving the Agent's position in Lufkin, Ron and his family moved back to East Texas in 2006. Ron feels, "It has been an amazing career so far. I've seen a lot of changes in my 20 plus years and have enjoyed being a part of the process." One of the things Ron has valued most in his career is the lasting friendships that he has made with some of "the most remarkable people in law enforcement."
Charlie Cloud started his career as an Agent with the Enforcement Division of the Texas Alcoholic Beverage Commission on Jan. 1, 1988 and was assigned to the Fort Worth District. Charlie was promoted to Sergeant in March of 1994 and stationed in Longview Texas. Charlie transferred to Fort Worth in September 1994. In 1999 Charlie was selected as the TABC Enforcement Employee of the Year. In 2001 Charlie was elected to the Board of Trustee for the Granbury Independent School District where has served as President, Vice President and Secretary for the Board. Charlie has served as a Precinct Chairman for the Republican Party for 8 years. Charlie is very active in his community as a member of the Granbury Chamber of Commerce, Kiwanis, and several other service organizations. Charlie has volunteered and worked for several charities including Hood County Christmas for Children and Operation School Supplies. Charlie has been married to his wife, Donlita for 20 years and they have a 15 year old daughter named Ashley. Charlie and Ashley are avid hunters and spend as much time as they can hunting.

Tom Dickson began working for the State of Texas in January 1988 as an Agent Trainee. He was stationed in the Victoria District Office for 51/2 years. Lieutenant Dickson then transferred to the Waco District Office in September of 1993 as an agent. He remained there until January 2001 when he was promoted to the rank of Sergeant and transferred to the Houston District Office. In October of that year, he transferred as Sergeant to the Austin District Office. In September of 2002, he was promoted to the rank of Lieutenant in the Austin District Office. During the month of March 2004, Lieutenant Dickson transferred back to the Waco District Office where he is currently stationed. He currently holds a Master Peace Officer certificate along with an Instructors certificate from TCELOSE. Lieutenant Dickson was named "Law Enforcement Officer of the Year" by the Central Texas Chapter of MADD in November 2004. Lieutenant Dickson is married to Lori and they have a daughter, Jessica, and a son, James.

Esther Guzman began her career with TABC on February 15, 1988 at Hidalgo Ports of Entry. She was stationed there for 3 years as an Inspector. In April, 1992 she transferred to Austin HQ as the Receptionist with the General Services Division, and held that position for a year, then accepted promotion to a Secretary position in the same division. In 1993 she then transferred to the Bingo Division as an Administrative Technician. In April 1994, when the San Antonio District Office was hiring for a Secretary position with the Enforcement Division, Esther made the decision to transfer to San Antonio to be near her family. Her positions in the San Antonio District have been as Administrative Technician and currently now holds the position of an Accounts Examiner II with the Compliance Division. Esther has been nominated twice for Employee of the Year. She is knowledgeable in all aspects of the licensing process. Her attitude, professionalism, and teamwork are greatly appreciated by applicants and fellow employees. On a personal note, she enjoys reading, spending time with her family, especially her nieces and nephew.
**Ruben Suarez** was born and raised in Willacy County and attended Lyford High School and graduated in May 1974. He attended Texas Southmost College in Brownsville and later transferred to Howard College in Big Spring. He graduated with an Applied Science Degree in Criminal Justice. He then transferred to Pan American University in Edinburg, Texas where he obtained his Bachelor of Science – Criminal Justice Degree graduating with Honors. In 1978 he worked at the Weslaco Police Department until August 1987. He remained in Law Enforcement as a Reserve Police Officer with Weslaco PD while he was an elementary teacher at Progress Elementary for a period of four months. In 1988 he was hired with TABC and assigned to the McAllen District Office where he remained until he was promoted to Sergeant and assigned to El Paso. Agent Suarez then transferred to the Waco District Office and later back to El Paso. Agent Suarez voluntarily transferred to the Harlingen Outpost where he remained until he transferred back to the Waco District Office. He currently is assigned to the Licensing Standards Investigations at the Waco District Office. Ruben is married to Cristela T. Suarez; they have three children, and four grandchildren. Ruben’s hobbies are fishing, dove hunting, golf, reading, and poetry writing.

**Kim Williamson** began his employment with TABC in January 1988 as an Agent in Abilene, and has worked there for the last 20 years. Prior to joining TABC, Kim worked with the Jones County Sheriff’s Department and the Hamlin Police Department. Kim and his wife Julie, have two daughters Megan and Keeli, and a son, Levi, and his wife Casey. His hobbies include woodworking and his children’s activities which, over the years, have included horse showing, beauty pageants and cheerleading.
Attachment 2

Region 2 Update
State Fair of Texas

- Pro-Active Approach
- Meet with Permittees to Assist in Licensing
- Providing Project SAVE at the Onset of the Fair
- Possibility of Minor Stings Throughout Duration
Six Flags

- By the second day we had received over 300 phone calls
- Sgt. Cloud ensured that everyone stayed informed
- Supervisors of the Fort Worth District as well as Compliance Personnel Organized a Public Forum

Annual BuzzFree PROMises Dress Giveaway

- TABC, DPD, Local Organizations, and the Dallas Community
- Reinforce young women's decisions for healthy behavior
- Provide drug and alcohol education and workshops
- Teach leadership and etiquette
- Provide rewards for good behavior
Violations in Dry Areas

- 12 Open Complaints for Sale without a permit
- Filed 6 cases for Sale Without a Permit
- Filed 6 cases for Possession with Intent to Sell
- Continuing Surveillance on some of the locations

Joint Operations

- We recently assisted one of our local departments in an ongoing drug investigation which resulted in the seizure of 55 grams of cocaine and approximately $5,700.
- Age Related Violations
Joint Operations

- Weapons Violations
- Public Intoxication
- Prohibited Hours Violations
- Health/Fire/Code Violations
- Comptroller Violations
- Possession of Marijuana

Spring Break

- Conducted Minor Sting Operation along the IH35 Corridor.
- 110 Locations
- 14 Criminal Charges
- 14 Administrative Charges
WET - DRY ELECTIONS
NOVEMBER 2007

- 19 City Elections on 25 issues
- Ranging from “All AB’s, including Mixed Beverages” to “Beer Off Only”
- 18 Passed
- 7 Failed
- City of Burke, Angelina County, reversed prior election and voted to Prohibit sale of Beer/Wine Off - back to “dry status”
- City of Anna tried to reverse prior election - failed
### Licensing Activities - Region 2
Number of Applications and Temporary/Caterers
September 2007 through February 2008

<table>
<thead>
<tr>
<th></th>
<th>Applications Received</th>
<th>Applications Cleared</th>
<th>Temps Caterer</th>
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<tbody>
<tr>
<td>Dallas</td>
<td>1029</td>
<td>602</td>
<td>1131</td>
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<tr>
<td>Fort Worth</td>
<td>412</td>
<td>328</td>
<td>330</td>
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<tr>
<td>Longview</td>
<td>130</td>
<td>106</td>
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<tr>
<td>Region Total</td>
<td>1571</td>
<td>1036</td>
<td>1495</td>
</tr>
</tbody>
</table>

### Compliance and Licensing Activities
December 1, 2007 - McKinney Auditing and Licensing moved to Dallas District Office
- Provide better customer service
- McKinney accounts examiner able to focus on application processing
- Better office coverage
- Auditors can assist with workload
Compliance and Licensing Activities

Joint Activities with Enforcement
▶ Two auditors working with agents on an LSI investigation and tier violations between a wholesaler and retailer.

Compliance and Licensing Activities

Community Relations
▶ Fort Worth Town Hall meeting, Compliance & Enforcement - Six Flags & Hurricane Harbor applications
▶ Texas Standing Tall 2008 Forum - Dallas
▶ Regional Supervisor and Dallas Lieutenant met with Dallas PD, Dallas Emergency Management, and others - St. Patrick’s Day events
▶ Regional Supervisor met with Cities of Midlothian, Royse City, Rockwall, Heath, and Rockwall County officials
Working As A Team

► Marketing Practice - Regional Supervisor plus two auditors and two agents
► Cooperative efforts with other agencies
► Assist Enforcement with Public Safety issues - assisting with investigations
► Financial, administrative, source - develop time-lines, reviewing source records
► Assist in education seminars and other programs - SAVE, Shattered Dreams

Regional Focus

► Service
► Courteous
► Integrity
► Accountability
Tailgating Parties
Attachment 3

Proposed new Mission, Vision, Philosophy, Four Cornerstones, and Guiding Principles
The New TABC

Cultural Re-alignment of
Mission, Vision,
Corner Stones and Guiding Principles

Strategic Planning at work

- Participants
- Process
- Product
Participants

- 65 TABC employees
- Management and Non-management
- Regional and Divisional Representation
- Long and Short tenured

Process

- Topical Presentations
- Large and small working groups
- Large and small group discussions
- Consensus based decision making
- Technologically driven
- Facilitated
Product

- Mission
- Vision
- Philosophy
- Corner Stones
- Guiding Principles

Product

- Modernized existing language
- Generated more consistency
- Shifted focus towards current challenges
- Highlighted needs
- Established baseline expectations
- Created a unifying goal
What is a mission?

The reason for an agency's existence. It identifies what the agency is, why it exists, and its unique contribution.

Current Mission

The mission of TABC is to supervise and regulate all phases of the alcoholic beverage industry to ensure the protection of the welfare, health, peace, temperance, and safety of the people of Texas, while facilitating fairness, balanced competition, and responsible behavior through voluntary compliance.
New Mission

The mission of the Texas Alcoholic Beverage Commission is to promote public safety and serve the people of Texas through consistent, fair and timely administration of the Alcoholic Beverage Code while fostering education, voluntary compliance and legal, responsible alcohol consumption.

The difference
What is a vision?

An inspiring picture of a preferred future.

Current Vision

A safe and sober Texas served by the TABC known for its innovation, efficiency, work ethic, and fiscal responsibility.

The agency pursues its vision of a safe and sober Texas not only through normal police activities, but also through licensing and regulation of commercial activity within the alcoholic beverage industry.
New Vision

A safe and responsible Texas served by an Alcoholic Beverage Commission committed to innovative partnerships with our communities and the alcoholic beverage industry.

The difference is
What is a philosophy?

A declaration of the fundamental principles and values underlying every activity of our agency. It describes how the agency conducts itself as it does its work.

Current Philosophy

The TABC will exemplify friendly, courteous, ethical, and professional behavior in all areas of performance.

We will provide the best possible services at the lowest possible cost to the people of Texas.

We will apply the law and agency policy fairly and consistently throughout the state.

We will communicate openly and provide timely and accurate information to the public we serve, and to all our fellow employees.
New Philosophy

The Texas Alcoholic Beverage Commission will:
Apply the Alcoholic Beverage Code in a fair, consistent, and timely manner;
Exemplify courteous, ethical, and professional behavior;
Be fiscally responsible and accountable to the people of Texas; and
Be accessible, transparent, efficient and effective.

The difference is
What are Corner Stones?

The agency’s cornerstones provide the foundation for the agency — who we are and what we do. Everything else is built on these four principles.

New Corner Stones

Service
Courtesy
Integrity
Accountability
What are Guiding Principles?

Guiding principles are the laws that serve as a basis of reasoning and action. They make up a personal code of conduct that leads, shows the way and directs the movements of an organization.

New Guiding Principles

- We value our employees, are committed to their continual improvement and empower them to make key decisions.
- We expect ethical and professional behavior of ourselves.
- We recruit, train, mentor, and develop individuals who are committed to our vision.
- We do the right thing, not just what we have the right to do.
Guiding Principles cont’d

- We exercise discretion in our authority when making decisions based on ethical and legal principles.
- We know our mission and understand our purpose, and we integrate our efforts in order to accomplish it in a consistent and efficient manner.
- We work together to achieve goals and solve problems.
- We strive to put responsible people into business and promote good business practices through integrated partnerships.
"The New TABC"

The following will be presented the Commissioners for approval at the March 28th Commission meeting.

What is a mission?
The reason for an agency's existence. It identifies what the agency is, why it exists, and its unique contribution.

The Current Mission
The mission of TABC is to supervise and regulate all phases of the alcoholic beverage industry to ensure the protection of the welfare, health, peace, temperance, and safety of the people of Texas, while facilitating fairness, balanced competition, and responsible behavior through voluntary compliance.

Our New Mission
The mission of the Texas Alcoholic Beverage Commission is to promote public safety and serve the people of Texas through consistent, fair and timely administration of the Alcoholic Beverage Code while fostering education, voluntary compliance and legal, responsible alcohol consumption.

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Our New Philosophy
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- exemplify courteous, ethical, and professional behavior;
- be fiscally responsible and accountable to the people of Texas; and
- be accessible, transparent, efficient and effective.

What are cornerstones?
The agency's cornerstones provide the foundation for the agency – who we are and what we do. Everything else is built on these four principles.

TABC's Four Cornerstones (New)
- Service
- Courtesy
- Integrity
- Accountability

What are guiding principles?
Guiding principles are the laws that serve as a basis of reasoning and action. The make up a personal code of conduct that leads, shows the way and directs the movements of an organization.

TABC's Guiding Principles (New)
1. We value our employees, are committed to their continual improvement and empower them to make key decisions.
2. We expect ethical and professional behavior of ourselves.
3. We recruit, train, mentor, and develop individuals who are committed to our vision.
4. We do the right thing, not just what we have the right to do.
5. We exercise discretion in our authority when making decisions based on ethical and legal principles.
6. We know our mission and understand our purpose, and we integrate our efforts in order to accomplish it in a consistent and efficient manner.
7. We work together to achieve goals and solve problems.
8. We strive to put responsible people into business and promote good business practices through integrated partnerships.
CERTIFICATION

REGULAR COMMISSION MEETING

10:30 a.m. – March 28, 2008

5806 Mesa Drive
Austin, Texas 78731
STATE OF TEXAS

COUNTY OF TRAVIS

This certifies that the attached is a true copy of the proceedings of the Texas Alcoholic Beverage Commission meeting held on March 28, 2008.

Alan Steen
Administrator

Sworn and subscribed before me this the 25th day of April 2008.

Renee G. Johnston
Notary in and for Travis County

Notary without Bond