

**New Mexico Renewable Energy Transmission Authority
712 Calle Grillo
Santa Fe, New Mexico 87505**

**Minutes of Board Meeting
April 28, 2015
1:30 p.m.**

**State Capitol – Rom 317
Santa Fe, New Mexico**

Present

Bob Busch, Chair
Robert Apodaca
Stephen Elliott
Louise Martinez
Jonathan Elms
Brian Moore

RETA Staff

Jeremy Turner, Executive Director
Angela Gonzales-Rodarte, Assistant Director

Guests

A complete listing of all attending guests is on file in the RETA office.

1. Call to Order and Roll Call

Chair Busch called the meeting to order at 1:40 p.m.

2. Approval of Agenda

Member Elliott made a motion to accept the agenda as presented. Member Apodaca seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

3. Approval of December 11, 2014 Board Meeting Minutes

Member Martinez made a motion to approve the Board Meeting Minutes as presented. Member Moore seconded the motion. There being no corrections, additions or updates to the minutes, Chair Busch then called for a vote and it passed unanimously.

4. Report of the Executive Director

Director Turner informed the Board that the Pueblo of Santa Ana had rescinded its approval of a right of way for the Western Spirit Clean Line project through its lands. A revised route is being explored by the team and the Board will be updated as to progress being made. Director Turner provided the Board with an update on the possible redemption of the High Lonesome Mesa bonds and that redemption was now scheduled for May 2015. Director Turner provided the Board with a recap of the 2015 legislative

session and informed the Board that despite being included in the proposed FY 2016 budget that Governor Martinez had line item vetoed RETA's funding. Member Apodaca inquired as to next steps and Director Turner informed member Apodaca that staff was contacting its private partners to determine their level of interest in possibly funding RETA's operations. Member Apodaca also inquired if there had been an explanation from the Governor's Office as to why the funding had been vetoed. Chairman Busch responded that to date no discussions have occurred with the Governor's Office.

5. **Approval of Financial Statements for the Periods Ending: November 30, 2014, December 31, 2014, January 31, 2015 and February 27, 2015**

Director Turner called the Board's attention to the February 27, 2015 financial statements and explained that staff had been reducing expenditures as much as possible since December and that all expenditures within budget for FY 15.

Member Elliott made a motion to approve the financial statements for the above periods. Member Elms seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

6. **Approval of Open Meetings Act Resolution**

Director Turner presented the Open Meetings Act Resolution and explained that it was a requirement for the Board to adopt annually.

Member Elliott made a motion to approve the open meetings act resolution. Member Elms seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

7. **Approval of the FY 2014 Audit**

Mr. Doug Fraser from Barraclough & Associates presented the FY 2014 audit to the Board for its consideration. Mr. Fraser explained the process he used while conducting the audit and that there were no issues during the audit. Mr. Fraser explained that there were no findings for the FY 2014 Audit.

Member Apodaca made a motion to accept the FY 2014 Audit. Member Martinez seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

8. **Approval of selection of Independent Public Auditor**

Assistant Director Gonzales-Rodarte explained the process that the Board used in the selection of the auditor and that the award was made for a three year period. Pursuant to the State Audit Rule multi-year proposals are allowed but must be approved each year. Ms. Gonzales-Rodarte recommended that the Board approve the contract for Barraclough & Associates for the FY 2015 Audit.

Member Elliott inquired as to the possibility of getting a reduction in fees for the FY 2015 Audit due to a reduction in RETA's activities. Assistant Director Gonzales-Rodarte explained that the amount was part of the three year proposal but that staff would work with the Auditor to determine if that was possible.

Member Moore made a motion to approve the contract extension for Barraclough & Associates. Member Apodaca seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

9. **Approval of RFP for FY 2016 Audit Services**

Assistant Director Gonzales-Rodarte explained the process the Board follows for the selection of audit services and the need to solicit services for the FY 2016 Audit in the event RETA's operations ceased prior to June 30, 2016. Director explained that staff had contacted the State Auditor's Office and that it would keep that Office informed of the rfp process and selection of an Auditor in the event a partial year audit would be required.

Member Elms made a motion to approve the rfp for FY 2016 Audit Services. Member Apodaca seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

10. **Approval of revised FY 2016 Budget**

Director Turner explained the need for the Board to approve a revised FY 2016 Budget in light of the lack of funding for FY 2016 through the legislative process. Director Turner explained that there would be a need for approximately \$231,000 from private sources for RETA to continue its operations through FY 2016.

Member Martinez made a motion to approve the FY 2016 Budget. Member Elliott seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

11. **Approval of Mora Line MOU**

Assistant Director Gonzales-Rodarte introduced the project to the Board and provided a brief background of the Lucky Corridor Mora Line project. Assistant Director Gonzales-Rodarte explained the levels of support the Board can provide and that this was an early stage development and request.

General Counsel Hoffman explained the requirements of the MOU to the Board.

Member Elliot made a motion to approve the memorandum of understanding between the Lucky Corridor, LLC and NM RETA for the Mora Line project. Member Elms seconded the motion. There being no further discussion, Chair Busch called for a vote and it passed unanimously.

12. **Public Comments**

Chairman Busch requested that public comments be the next order of business since the Board would be having an executive session. Mr. Van Wilgus, General Counsel for SunZia provided the Board with an update on the activities of SunZia and its work with the NM State Land Office regarding a possible revised route for the project. Mr. Wilgus stated he would keep the Board updated on progress.

13. **Executive Session, Limited to Personnel Matters, Pursuant to 10-15-1 (H) (2) NMSA 1978**

Chair Busch requested a motion to go into closed session for the purpose of discussing certain personnel matters pursuant to 10-15-1 (H)(2) NMSA 1978. Member Elliott made the motion to go into closed session for the purpose of discussing certain personnel matters pursuant to 10-15-1 (H)(2) NMSA 1978. Member Moore seconded the motion. There being no further discussion or comments, Chair Busch called for a roll call vote and each Board member voted for the motion.

At 2:25 p.m. the Board returned to its regular business meeting. Chair Busch reported, the only topic discussed in closed session was certain personnel matters and that no vote was taken.

14. **Other Business**

Cindy Cordova, General Counsel for the State Treasurer's Office explained that Treasure Eichenberg has requested her to evaluate the legality of Governor Martinez's vetoing of RETA's funding. The Board requested General Counsel Hoffman to work with Ms. Cordova to determine next steps and report back to the Board at its next meeting.

15. **Next Meeting – Wed., June 17, 2015, 1:30 p.m., Santa Fe, NM**

16. **Adjournment**

Chairman Busch adjourned the meeting at 2:25 p.m.