

New Mexico Renewable Energy Transmission Authority

Minutes of Special Board Meeting November 5, 2020 8:30 a.m.

ZOOM MEETING

<https://us02web.zoom.us/j/88143307824?pwd=am9UanpnaG5mV0V6TlplVa3UzdTduUT09>

Present

Robert (Bob) Busch, Chairman
Louise Martinez, Designee for EMNRD Cabinet Secretary
Diana Rosales-Ortiz, Designee for State Treasurer Tim Eichenberg
Megan Anderson, Member
Noah Long, Member
Richard Jackson, Member

Absent

Douglas Howe, Member

RETA Staff

Fernando Martinez, Executive Director
Brian Johnson, Clean Energy Engineer
Lynn Mostoller and Anne P. Browne, General Counsel, Sutin Thayer & Browne
Ginny Selvin – RETA Manager of Finance
Gloria Castillo – RETA Administrative Assistant

1. Call to Order and Roll Call

Chairman Busch called the meeting to order at 8:30 a.m. A quorum was present for the meeting.

2. Approval of Agenda

Member Long made a motion to accept the agenda as presented. Member Anderson seconded the motion. There being no further discussion, Chairman Busch called for a rollcall vote and the motion passed unanimously.

3. Approval of October 6, 2020 Board Meeting Minutes

Member Anderson made a motion to accept the October 6, 2020 Board Meeting Minutes as presented. Member Long seconded the motion. There being no additional discussion, corrections, additions or updates to the minutes, Chairman Busch called for a rollcall vote and the motion passed unanimously.

4. Public Comments (written public comments received by Monday, November 2, 2020 at 3:00 p.m.)

No written public comments were received by the deadline date of Monday, November 2, 2020 at 3:00 p.m.

Chairman Busch reported that RETA has been working with Ameren. He asked Ms. Lynn Greene to provide the Board with a summary of the Ameren projects. Ms. Greene introduced members of the Ameren team. She reported that Ameren has completed the 100% purchase of Lucky Corridor and all its projects.

5. Report of the Executive Director

Executive Director Fernando Martinez reported on the following:

- RETA submitted a FY2022 Special Appropriation Request to the Department of Finance and Administration and Legislative Council requesting \$350,000 for RETA's Operational Budget.
- RETA's FY2020 Auditor's Report and Financial Statements have been reviewed, approved, and made public by the Office of the State Auditor. He noted that it was a clean Audit Report and available on RETA's website. Mr. Martinez thanked Ms. Selvin for a job well done and noted that RETA's Auditor from SJT Group LLC, will attend the next Board meeting to report on the Audit.
- RETA continues work on the Grid Modernization Advisory Group initiative led by EMNRD. Mr. Martinez noted that he is involved with the 10- and 20-year Transmission Planning subgroup and the Bulk Power Markets subgroup. Mr. Johnson is involved with the Integrated Resource Planning Standardization and Energy Storage subgroups.
- RETA gave a presentation on the Renewable Energy Transmission & Storage Study earlier in the week to the Southwest Transmission Oversight Committee.
- RETA has hired Crumbacher Business Systems, Inc. to assist with RETA's IT Support, IT Security and backed up electronics storage for RETA's records.
- RETA has been working with New Mexico military base Commanders and recently provided them with updates on RETA's projects.
- RETA has provided the Cannon Air Force Base with the Renewable Energy Transmission & Storage Study and has a meeting scheduled with Holloman Airforce Base in December.

Chairman Busch added that Mr. Johnson has been working with microgrids and looking at the microgrid installation at Kirtland Air Force Base. He then asked Mr. Johnson to provide the Board with a summary on his work. Mr. Johnson provided a short briefing on his experiences at the Kirtland Air Force Base and its microgrid project and future plans.

6. Closed Session

Chairman Busch called for a motion to go into closed session for: (a) Confidential discussion related to disposal of real estate property as it relates to financing status for Western Spirit Project, as permitted under NMSA 1978, § 10-15-1(H)(8) (meeting for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body); § 62-16A-16 (protecting the proprietary technical or business information obtained by the authority as confidential); *see also* NMAC § 17.8.2.9; (b) Confidential discussion of the acquisition of real property as it relates to the negotiation of an agreement with a commercial developer, as permitted under NMSA 1978, § 10-15-1(H)(8) (meeting

for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body); § 62-16A-16 (protecting the proprietary technical or business information obtained by the authority as confidential); *see also* NMAC § 17.8.2.9; confidential discussion of pending and/or threatened administrative complaints, as permitted under NMSA 1978, § 10-15-1(H)(7) (meeting subject to attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant).

Member Anderson made a motion for the Board to go into closed session. Member Jackson seconded the motion. There being no further discussion or comments, Chairman Busch called for a rollcall vote and it passed unanimously.

The Board went into closed session at 9:10 a.m.

Chairman Busch called for a motion to come out of closed session. Member Jackson made a motion to come out of closed session. Member Rosales-Ortiz seconded the motion. There being no further discussion or comments, Chairman Busch called for a rollcall vote and it passed unanimously. The Board returned to its regular meeting at 10:08 a.m.

The Chairman announced that there was no other discussion held during the Closed Session other than what was on the agenda.

7. Review and Consider Approval of Resolution Regarding Second Amendment to the Build Transfer Agreement and Ratification of Western Spirit Signature Authority

Ms. Mostoller explained the resolution related to approving the Second Amendment to the BTA and confirming signature authority for the title companies.

Chairman Busch called for a motion to approve the resolution regarding a Second Amendment to the Build Transfer Agreement and Ratification of Western Spirit Signature Authority.

Member Anderson made a motion to approve the resolution. Member Jackson seconded the motion. The motion passed unanimously by rollcall vote.

8. Review and Consider Approval of Resolution Regarding First Amendment to the Master Lease Agreement

Ms. Mostoller stated that the resolution is related to the First Amendment to the Master Lease Agreement as discussed in closed session and a motion is now needed to approve.

Chairman Busch called for a motion to approve the resolution regarding the First Amendment to the Master Lease Agreement.

Member Anderson made a motion to approve the resolution. Member Long second the motion. The motion passed unanimously by rollcall vote.

9. Review and Consider Approval of Resolution Regarding Consents to Collateral Assignments Related to the Financing of the Western Spirit Project

Ms. Mostoller stated that the resolution is related to the approval of the consent and collateral assignment agreements as was discussed in closed session and a motion is now needed to approve.

Chairman Busch called for a motion to approve the resolution regarding consents to collateral assignments related to the financing of the Western Spirit Project.

Member Long made a motion to approve the resolution. Member Rosales-Ortiz seconded the motion. The motion passed unanimously by rollcall vote.

10. Next Meeting

The next RETA Board of Directors meeting is scheduled for Friday, December 18, 2020 at 9:00 a.m.

11. Adjournment

Chairman Busch called for a motion to adjourn the Board meeting.

Member Long made a motion to adjourn the RETA Board of Directors meeting. Member Anderson seconded the motion. The Board voted unanimously to adjourn.

The RETA Board meeting adjourned at 10:06 a.m.