

# **New Mexico Renewable Energy Transmission Authority**

**Minutes of Board Meeting  
August 12, 2021  
9:00 a.m.**

**NM State Capitol – Room 309  
490 Old Santa Fe Trail  
Santa Fe, New Mexico, 87501**

## **Present Board Members**

Robert (Bob) Busch, Chairman  
Louise Martinez, Designee for EMNRD Cabinet Secretary  
Heather Benavidez, Designee for State Treasurer  
Megan Anderson, Member (via telephone)  
Noah Long, Member  
Douglas Howe, Member

## **RETA Staff**

Fernando Martinez, Executive Director  
Brian Johnson, Clean Energy Engineer  
Lynn Mostoller, General Counsel, Sutin Thayer & Browne  
Ginny Selvin, Manager of Finance  
Gloria Castillo, Administrative Assistant  
Valerie Moquino, Administrative Support

### **1. Call to Order and Roll Call**

Chairman Busch called the meeting to order at 9:00 a.m. A quorum was present for the meeting. Chairman Busch welcomed new State Treasurer designee Heather Benavidez to the Board. He informed the Board that the President Pro Tempore of the New Mexico Senate had recently appointed Phoebe Suina, of Cochiti Pueblo to the Board.

### **2. Approval of Agenda**

Member Long made a motion to accept the agenda as presented. Member Howe seconded the motion. There being no further discussion, Chairman Busch asked if there were any members contrary to its approval. There being none, the motion passed unanimously.

### **3. Approval of May 19, 2021 Board Meeting Minutes**

Member Howe made a motion to accept the May 19, 2021, Board Meeting Minutes as presented. Member Anderson seconded the motion. There being no additional discussion, corrections, additions or deletions to the minutes, Chairman Busch asked if there were any members contrary to its approval. There being none, the motion passed unanimously.

#### **4. Public Comments**

Three (3) members of the public were present. No public comments were given. Member Long questioned the Board if written public comments are accepted. Chairman Busch confirmed written public comments are accepted.

#### **5. Report of the Chairman**

Chairman Busch reported on the following:

- Reported on the August 11, 2021, tour of the Western Spirit Project. He noted that the Northern leg of the transmission line and upgrades at the Clines Corners substation have been completed. They have not yet injected wind power into the Western Spirit substation, but that is expected to will happen within in two weeks. Construction of the Western leg is well underway, and Abo the substation is 35% complete. The river crossing segment of the line is complete. Approximately 90 miles of conductor still needs to be strung. Construction of the transmission line is expected by mid-October, and PNM is expected to complete the Pajarito substation by mid-November. Chairman Busch also noted that photos were taken during the tour, which will be downloaded and sent to Board members. Member Noah suggested that the photos also be uploaded onto RETA's website.
- Chairman Busch asked Ms. Selvin to provide a brief update on RETA's new office space. Ms. Selvin gave an update on new RETA location at 1400 S. St. Francis Drive, Santa Fe, with an expected move in September.

#### **6. Report of the Executive Director**

Executive Director Fernando Martinez reported on the following:

- Provided further highlights on the Western Spirit tour.
- Provided a brief summary on the SunZia Project status, noting that the Scoping Period ended in July. Their focus now is on right-of-way, access, and engineering.
- RETA is currently working with other interested renewable energy developers as future partners.
- RETA continues to work with several stakeholders on several projects, including tribal governments, environmental groups, state and federal governmental agencies, and military installations such as Kirkland Air Force Base and White Sands Missile Range.
- RETA is working on updating its Transmission and Storage Study.
- Questions: Member Long inquired on Colorado's development of renewable energy transmission authority. Mr. Martinez responded that he has been asked to provide recommendations to Colorado. He and Mr. Johnson have been working on regional renewable energy efforts with Arizona, Colorado and California.

#### **7. Financial Report for FY21**

Ms. Selvin explained that RETA is in the midst of its annual audit process, and therefore there are not audited yearend financials ready for Board review.

#### **8. Review and Consider Approval of Amendment to Financial Policies**

General Counsel Mostoller reviewed the Amendment to the Financial Policies, noting that the proposed changes are providing more latitude on sole source procurement. Member Long asked if RETA had considered setting the general cap at a lower level. Member Howe concurred and suggested an option for the Board to be able to waive the cap. Following Board discussion, General Counsel Mostoller said she will revise the Financial Policies and add a new provision, which states that “as long as the Board approves any Sole Source contract over \$100,000 but not to exceed \$150,000.”

Member Long made motion to approve the Amendment to RETA’s Financial Policies as amended during the discussion. Member Howe seconded the motion. There being no contrary minded, the motion passed unanimously.

**9. Review and Consider Approval of 2021 Open Meetings Resolution**

General Counsel Mostoller reviewed Resolution Number 2021-006 with Members of the Board. Member Long questioned if the notice for Board meetings is posted 72 hours for the public? General Counsel Mostoller confirmed in the affirmative and confirmed that the notice for regular meetings is posted 72 hours in advance and all board agendas, minutes, and resolutions are available on RETA’s website.

Member Long made a motion to approve the Open Meeting Resolution as presented. Member Howe seconded the motion. There being no contrary minded, the motion passed unanimously.

**10. Review and Consider Approval of Resolution regarding Amended and Restated MOU between RETA and Invenergy Wind Development North America LLC**

Chairman Busch summarized the Amended and Restated MOU between RETA and Invenergy, and the commitment for RETA to provide additional support to the project and for Invenergy to provide more regular financial support to RETA.

Member Long made motion to approve the Resolution Regarding the Amended and Restated MOU as presented. Member Anderson seconded the motion. There being no contrary minded, the motion passed unanimously.

**11. Closed Session**

Chairman Busch noted that the Board would now go into Closed Session for 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.

Member Howe made a motion for the Board to go into closed session. Member Long seconded the motion. There being no Board member contrary to it, the motion passed unanimously.

The Board went into closed session at 10:00 a.m.

Chairman Busch called for a motion to come out of closed session. Member Long made a motion to come out of closed session. Member Benavidez seconded the motion. There being no Board member contrary to it, the motion passed unanimously. The Board returned to its regular meeting at 10:45 a.m.

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

**12. Review and Consider Approval of Resolution Regarding Letter Agreement between RETA and SunZia Transmission, LLC.**

Chairman Busch called for a motion to approve the resolution regarding Letter Agreement between RETA and SunZia Transmission, LLC.

Member Anderson made a motion to approve the Resolution as presented. Member Howe seconded the motion. There being no Board member contrary to it, the motion passed unanimously.

**13. Next Meeting**

The next RETA Board of Directors meeting is tentatively scheduled for September 30, 2021, at 9:00 a.m. Whether the Board meeting will be in person or via Zoom is to be determined.

**14. Adjournment**

The RETA Board meeting adjourned at 10:50 a.m.