

**New Mexico Renewable Energy Transmission Authority
Minutes of the Board of Directors**

New Mexico State Capitol

**Monday, October 31, 2022
9:00 a.m. MT**

Present Board Members

Robert (Bob) Busch, Chairman
Noah Long, Member
Heather Benavidez, Member
Jeremy Lewis, Member
James Miller, Member
Phoebe Suina, Member

RETA Staff

Fernando Martinez, Executive Director
Ginny Selvin, Financial Director
Valerie Moquino, Administrative Support
Lynn Mostoller, General Counsel, Sutin Thayer & Browne
Mariposa Padilla Sivage, General Counsel, Sutin Thayer & Browne

1. Call to Order and Roll Call

Chairman Busch welcomed everyone to the meeting and welcomed Dr. James Miller back to the Board. Chairman Busch called the meeting to order at 9:06 a.m. A quorum was present for the meeting.

2. Approval of Agenda

Chairman Busch presented the recommended agenda to the Board. Member Suina made a motion to approve the agenda as recommended. Member Long seconded the motion. There being no further discussion, Chairman Busch took a voice vote, the motion passed unanimously.

3. Approval of September 13, 2022 minutes

Chairman Busch asked if there were any comments or changes to the September 13, 2022 minutes as presented. Member Long made a motion to approve the minutes as presented. Member Benavidez seconded the motion. There being no further discussion, Chairman Busch took a voice vote, the motion passed unanimously.

4. Public Comments

No public comments were given.

5. Report of the Chairman

Chairman Busch reported on the following:

- Energy Workshop: Chairman Busch gave some positive remarks on the successful Energy Workshop and felt it all went really well.

6. Report of the Executive Director

Executive Director Martinez reported on the following:

- Energy Workshop: Executive Director Martinez echoed Chairman Busch’s remarks about the successful workshop. He feels RETA is in a really good place. RETA will continue to work with new partners and expand relationships. He hopes to have some dates for next year’s workshop. Mr. Martinez thanked RETA Staff for planning efforts for the workshop, and thanked member Long for providing an outstanding guest speaker.
- NMFA Oversight Committee: Executive Director Martinez briefed the Board on the recent presentation with the NMFA Oversight Committee. Mr. Martinez stated it went well.
- ACEG: RETA provided a presentation for the Americans for Clean Energy Grid. Mr. Martinez and Chairman Busch will be invited back for future meetings.
- Annual Report: NM RETA is working on preparing the Annual Report to be submitted by December 1, 2022. This report goes annually to the Governor’s Office and Legislature Council Services.
- Questions/Comments: Member Long asked if RETA should be doing anything more proactively with storage. Chairman Busch replied that another strategic planning meeting should take place in early 2023. Executive Director Martinez stated the conference overall solidified what RETA does. Member Lewis also thanked RETA Staff for the conference.

7. Review and Consider for Approval Revised Draft Financial Statements for the period ending June 30, 2022 – Ginny Selvin

- Ms. Selvin gave a review of the revised financial statements for period ending June 30, 2022. She highlighted financial activity, explaining the report was derived from the financial report prepared by RETA’s Auditor.
- The Auditor will present the audit report to the RETA Board before the end of the year.

Chairman Busch called for a motion to approve the revised financial statements for the period ending June 30, 2022. Member Lewis made a motion to approve the revised financial statements ending June 30, 2022. Member Long seconded the motion. On a voice vote, the motion passed unanimously.

8. Review and Consider approval for Draft Financial Statements for the period ending September 30, 2022- Ginny Selvin

- Ms. Selvin gave a brief review on the financial statements for the first quarter which included regular partner contributions and the workshop contributor.
- Ms. Selvin updated on the transition with the newly engaged accounting firm, Zlotnick & Sandoval PC, as of September 1, 2022. She explained the transition has been going very well.

Chairman Busch called for a motion to approve the financial statements for the period ending September 30, 2022. Member Long made a motion to approve the financial statements ending September 30, 2022. Member Miller seconded the motion. On a voice vote, the motion passed unanimously.

9. Closed Session

Confidential discussion of (1) the acquisition of real property as it relates to several RETA projects, 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); confidential discussion of proprietary technical or business information related to a RETA project, as permitted under NMSA 1978, § 62-16A-16, see also, NMAC § 17.8.2.9; and (2) adjudicative proceedings related to RETA projects, as permitted under NMSA 1978, § 10-15-1(H)(7) (meeting for attorney-client privileged discussion of threatened litigation in which RETA may become a participant).

Member Suina made a motion for the Board to go into closed session. Member Benavidez seconded the motion. On a voice vote, the motion passed unanimously.

The Board went into closed session at 9:43 a.m.

Member Long made a motion to come out of closed session. Member Suina seconded the motion. On a voice vote, the motion passed unanimously. The Board returned to its regular meeting at 10:53 a.m.

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

10. Review and Consider Approval of Development, Acquisition, Lease and Sub-Easement Agreement – Line 1 between RETA and SunZia Transmission, LLC – Chairman Robert Busch

Chairman Busch called for a motion to approve the Development, Acquisition, Lease and Sub-Easement Agreement – Line 1 between RETA and SunZia Transmission, LLC. Member Miller made motion to approve the Development, Acquisition, Lease and Sub-Easement Agreement – Line 1 between RETA and SunZia Transmission, LLC. Member Benavidez seconded the motion. There was no further discussion. On a roll call vote, the motion passed unanimously.

11. Review and Consider Approval of Resolution Providing for Signature Authority for Real Estate Agreements and other Documents in Connection with the SunZia Transmission Project (Line 1).

Chairman Busch called for a motion to approve the Resolution Providing for Signature Authority for Real Estate Agreements and other Documents in Connection with the SunZia Transmission Project (Line 1). Member Lewis made motion to approve the Resolution Providing for Signature Authority for Real Estate Agreements and other Documents in Connection with the SunZia Transmission Project (Line 1). Member Suina seconded the motion. There was no further discussion. On a roll call vote, the motion passed unanimously.

12. Review and Consider Approval of Development, Acquisition, Lease and Sub-Easement Agreement – Line 2 between RETA and El Rio Sol Transmission, LLC.

Chairman Busch called for a motion to approve the Development, Acquisition, Lease and Sub-Easement Agreement – Line 2 between RETA and El Rio Sol Transmission, LLC. Member Suina made motion to approve the Development, Acquisition, Lease and Sub-Easement Agreement – Line 2 between RETA and El Rio Sol Transmission, LLC. Member Lewis seconded the motion. There was no further discussion. On a roll call vote, the motion passed unanimously.

13. Resolution Providing for Signature Authority for Real Estate Agreements and other Documents in Connection with the El Rio Sol Transmission Project (Line 2).

Chairman Busch called for a motion to approve the Resolution Providing for Signature Authority for Real Estate Agreements and other Documents in Connection with the El Rio Sol Transmission Project (Line 2). Member Benavidez made motion to approve the Resolution Providing for Signature Authority for Real Estate Agreements and other Documents in Connection with the El Rio Sol Transmission Project (Line 2). Member Suina seconded the motion. There was no further discussion. On a roll call vote, the motion passed unanimously.

14. Review and Consider Approval of General Counsel Services Agreement between RETA and Sutin, Thayer & Browne

Chairman Busch called for a motion to approve the General Counsel Services Agreement between RETA and Sutin, Thayer & Browne. Member Long made motion to approve the General Counsel Services Agreement between RETA and Sutin, Thayer & Browne. Member Heather seconded the motion. There was no further discussion. On a voice vote, the motion passed unanimously.

15. Next Meeting

After brief discussion, the Board members agreed to hold the next Board meeting on December 13, 2022, located at the State Capitol building, commencing at 9:00am.

16. Adjournment

Member Long moved to adjourn the meeting. Member Lewis seconded. On a voice vote, the motion passed unanimously, and the meeting was adjourned at 11:02 a.m.