RESOLUTION 2024-011

RESOLUTION OF THE NEW MEXICO RENEWABLE ENERGY TRANSMISSION AUTHORITY ("RETA") AUTHORIZING THE EXECUTIVE DIRECTOR OF RETA TO EXECUTE CERTAIN CONTRACTS; AND RATIFYING PRIOR ACTIONS CONSISTENT WITH THIS RESOLUTION AND REPEALING PRIOR INCONSISTENT ACTION.

Capitalized terms used in the following recitals have the meaning defined in the following recitals and have such meaning when used in this Resolution unless the context requires otherwise.

WHEREAS, in the general course of its operations and projects the New Mexico Renewable Energy Transmission Authority ("RETA") is a party to various documents, contracts and agreements;

WHEREAS, the Executive Director of RETA will be authorized to sign such documents, contracts and agreements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of RETA, as follows:

Section 1. Ratification. All actions heretofore taken, not inconsistent with the provisions of this Resolution, by RETA, its Governing Board, officers, employees and agents, related to the subject matter of this Resolution are hereby ratified, approved and confirmed.

Section 2. Authorization. Lynn E. Mostoller, the Executive Director, of RETA without the joinder of any other person, is hereby authorized, empowered and directed, in the name and on behalf of RETA, to approve and sign documents, contracts and agreements and any amendments or modifications thereof (collectively, the "Contracts") in connection with the general course of RETA's operations and projects where the amount payable by RETA under a Contract does not exceed $60,000.00, with the exception of contracts for employment with RETA ("Employment Contracts"), which the Executive Director is authorized to approve and sign where the amount payable by RETA under an Employment Contract does not exceed $150,000.00.

Section 3. Severability Clause. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. No Recourse and Liability. All covenants, stipulations, obligations and agreements of RETA contained in this Resolution, and in the documents hereby authorized, shall be deemed to be the covenants, stipulations, obligations and agreements of RETA, and all such covenants, stipulations, obligations and agreements shall be binding upon RETA, and, except as otherwise provided in this Resolution and such documents, all rights, powers and privileges conferred, and duties and liabilities imposed, upon RETA by the provisions of this Resolution, and in the documents hereby approved, shall be exercised or performed by RETA; provided that no covenant, stipulation, obligation or agreement herein contained or contained in any document

hereby approved and authorized for execution shall be deemed to be a covenant, stipulation, obligation or agreement of any officer, director, member, agent or employee of RETA in his or her individual capacity, and neither the members of RETA nor any officials executing the Contract shall be liable personally under the Contract.

Section 5. Inconsistent Prior Resolution; Effective Date. All orders, resolutions, or proceedings in conflict with provisions of this Resolution shall be, and the same hereby are, repealed, rescinded, and set aside, but only to the extent of such conflict. This Resolution shall become effective immediately upon the adoption hereof.

Section 6. Section Headings. The headings or titles to the several sections hereof shall be solely for the convenience of reference and shall not affect the meaning or construction, interpretation or effect of this Resolution.

The foregoing Resolution of the Governing Board of RETA was adopted and approved by RETA on July 11, 2024.

Robert E. Busch
Chairman