



Alcaldía de Medellín

DECREE 0806/2020 (AUGUST 25)

Whereby two resignations are accepted and five (5) appointments are made to the Board of Directors of Empresas Públicas de Medellín E.S.P (EPM)

THE MAYOR OF MEDELLÍN

In use of his constitutional and legal powers, and particularly those granted by article 315 (3) of the Political Constitution, Law 136/1994, Law 142/1994, Decree 1429/1995, article 7 of Municipal Agreement 12/1998, consistent with article 8 of Municipal Agreement 69/1997, and article 348 (6 and 7) of Municipal Decree 883/2015, and

WHEREAS

Article 369 of the Political Constitution establishes the constitutional duties and rights of users, and that laws must be enacted to establish the regime for user protection and the manner in which users will participate in managing and overseeing the government companies that provide the services.

Article 62 of Law 142/1994, which establishes the residential public utilities regime, provides for the creation, at the initiative of users, subscribers and potential subscribers, of Residential Public Utilities Social Development and Control Committees, as well as for the election of a Control Spokesperson to represent them, exercising the legal functions set forth in articles 63 and 64 of said law, as well as those laid out in the committee's own bylaws.

Article 27 of said residential public utilities regime establishes special rules on the participation of public entities in public utility services companies, and item 27.6 defines the manner in which the boards of directors of the municipal residential public utilities companies are to be appointed, which are to be selected by the mayor, requiring that one-third of board members must be selected from among the Control Spokespersons registered by the Residential Utilities Social Development and Control Committees.

By Municipal Agreement 069/December 10, 1997, the Council of Medellín ordered the transformation of the public institution Empresas Públicas de Medellín into an Industrial and Commercial Government Company, called Empresas Públicas de Medellín E.S.P.

Through Municipal Agreement 012/1998, the Council of Medellín adopted the Bylaws of the Entity, whose Article 7 sets out the provisions for the selection of the Board of Directors, which shall be chaired by the Mayor or his delegate, who must be an employee of the Municipal Government, consisting of five (5) persons freely appointed by the Mayor of Medellín and three (3) persons chosen by the Mayor of Medellín from among the Control Spokespersons registered by the Residential Public



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Utilities Social Development and Control Committees. The foregoing is in accordance with the provisions of Article 27 (6) of Law 142/1994.

By means of Decree 0785/August 17, 2020, the following were appointed as members of the Board of Directors of Empresas Públicas de Medellín E.S.P (EPM): SANDRA SUÁREZ PÉREZ and LUIS FERNANDO RICO PINZÓN, both of whom, by means of memorandum addressed to the Mayor of Medellín, indicated their resignations as members of the Board of Directors of Empresas Públicas de Medellín.

Item 2.1.2 of the Framework Agreement on Relations between the Municipality of Medellín and Empresas Públicas de Medellín establishes that for the appointment of the persons freely appointed by the Mayor, it must be confirmed that they hold a university degree in areas related to the Entity and *business and/or work experience in activities related to the public utility sector and/or the operations performed by the Company.*

Based on the above, two (2) new Board members are appointed, in the following terms: Verification has been performed on any of the grounds for ineligibility provided for in Article 102 of Law 489/1998, which refers to National Decree 128/1976, and on the qualifications of the Board members, as provided for in Board of Directors' Decree 376/2015.

Ms. **BERNARDITA PÉREZ RESTREPO** is a Lawyer from Universidad de Antioquia, Specialist in Philosophy of Law from Universidad Castilla de la Mancha (Spain), and is currently enrolled in the Master's degree program in Political Philosophy at Universidad de Antioquia. She has been a professor at Universidad de Antioquia, Universidad Pontificia Bolivariana, Universidad de Medellín, Universidad Nacional and Universidad Libre, and has been a Speaker on constitutional law, political law and administrative law in several events, including at Colombian universities, public entities, NGOs and others from 1991 to the present. She has a long track record in the public sector, acting as consultant on lawsuits for the protection of constitutional rights (tutela) for the High Judiciary Council (2002 – 2006), advisor for the Chairman of the Senate of the Republic (2001-2002), viewers' advocate at the TV channel Tele Antioquia (2004-2005), advisor for the Chairman of the Senate of the Republic (2002 – 2006), Associate Judge of the Higher Court of Medellín, Criminal Chamber (2018 to present), Associate Judge of the Contentious Administrative Tribunal (2014 to present), Associate Judge of the Constitutional Court (2016 – 2018). In the private sector, she has been a member of the Board of Directors of the company Construcciones El Cóndor S.A (2003 – 2015), member of the Board of Directors of Latinoamericana de Construcciones S.A (2010 to present), member of the Board of Directors of Amtex S.A (2016 to present), External Consultant of Comfama (2002 to present), advisor and consultant of several private-sector companies in the infrastructure sector. She has also been an academic collaborator for the NGO "Unión de Ciudadanas de Colombia" and for the NGO "Ruta Pacífica". She has over 10 published articles on legal topics, has worked as head researcher for the study "Principios constitucionales, derechos fundamentales y acción de tutela: definición" (Constitutional principles, fundamental rights and lawsuits for the protection of constitutional rights: Definition), prepared by the Tribunals of Antioquia, Co-researcher



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for the study “La acción de tutela en los derechos sociales en el Magdalena Medio” (Lawsuits for the protection of constitutional rights and the social rights of the Middle-Magdalena Region), Co-researcher for the study “La Reforma constitucional de 1910. Alcances y perspectivas hacia un modelo republicano” (The 1910 constitutional reform: Scope and perspectives towards a republican model). Researcher registered in Colciencias as part of the group “Law and Society” of the Legal Research Center of Universidad de Antioquia. Group A. She has also received awards for Academic Merit of Antioquia granted by the School of Judges and Prosecutors of Antioquia (1996), Merit as professor in the social sciences area granted by Universidad de Antioquia (1996) and Teaching Excellence granted by Universidad de Antioquia in 2004 (The highest teaching award granted by the university).

Mr. **JORGE ANDRÉS CARRILLO CARDOSO** is a Civil Engineer and Environmental Engineer, with a Master’s Degree in Environmental Management from Universidad de los Andes. Fifteen years of broad experience as senior government official and as business consultant, leading the formulation of public and regulatory policies, projects and programs for public and private entities on sustainable management, water safety and circular economy, structuring of projects and strategic planning for public-private coalitions with excellent results and high-level relations. He has been a researcher for Technical Viability projects in the implementation of a system of anaerobic biological treatment of lixiviates and of a sequential lot system, modelled in an anaerobic reactor, and the determination of kinetic constants of an aerobic lixivate treatment process, with physical scale modeling at the Environmental Engineering Research Center (CIIA, for the Spanish original) of Universidad de los Andes. He has also been a speaker at national and international events on topics related to water safety, involvement of the private sector of public-private collective action platforms, public utilities industry policies, regulation of residential public utilities, circular economy, sustainable development and sustainable mobility.

Also, item 2.1.2 of the Framework Agreement on Relations between the Municipality of Medellín and Empresas Públicas de Medellín establishes that for the appointment of the persons designated by the Mayor for the election of Control Spokespersons, the latter are required to *demonstrate their time as members of the Social Development and Control Committee that elected them, their relations with the Committee, the activities carried out in performing their duties, etc.*

Pursuant to the above, three Board members are appointed from among the Control Spokespersons registered by the Residential Public Utilities Social Development and Control Committees, in the following conditions: Verification has been performed on any of the grounds for ineligibility provided for in Article 102 of Law 489/1998, which refers to National Decree 128/1976, and on the qualifications of the Board members, as provided for in Board of Directors' Decree 376/2015.

Mr. **GUILLERMO LEÓN DIOSA PÉREZ** is a Mechanical Engineer, Specialist in Maintenance Management from Universidad de Antioquia, and Specialist in Environmental Education from Universidad Pontificia Bolivariana. He has held positions and under-secretary for the Environment of the municipality of Medellín, secretary of the Environment (deputy), general manager of PONTUS



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GROUP S.A.S, territory director of Panzenú, manager of MODIAL LTDA. He has worked as Auditor and reviewer at the Office of the General Comptroller of Colombia, and also has experience as professor at Instituto Tecnológico Pascual Bravo. He has broad experience in environmental authority; water infrastructure and management of water networks; forestry, real estate, contractual and legal management; was keynote speaker at a forum on urban transformation, local development and sustainable cities as agents of change; and has been a consultant for INTERNATIONAL CERTIFICATION AND TRAINING S.A. and TRANSTECH; he provided advisory for implementation of the quality system at the Physical Education Institute of Universidad de Antioquia for sports training schools; he provided consulting on strategic commercial management of Hotel Cacique Toné; he has been a member of the board of directors of Parque Arví, Jardín Botánico Joaquín Antonio Uribe, Academic Extension Center of the Engineering Faculty of Universidad de Antioquia (CESET), TRANSTECH, and member of committees of CORANTIOQUIA, INTERNATIONAL CERTIFICATION AND TRAINING S.A., Extension Committee of the Engineering Faculty of Universidad de Antioquia, Metropolitan Area of the Municipality of Medellín. He has been a Control Spokesperson for residential public utilities in the city of Medellín since 2003 (CODECOS).

Mr. **GILDARDO ANTONIO CORREA SALAZAR** has been a community leader at Comuna 1, Residential Public Utilities Control Spokesperson for Comuna 1, elected by popular vote since 2017. He has over 10 years of experience in Participative Budgeting and Assistance in preparing the Development Plan for 6 years (2007 – 2013). He has also been the Coordinator of the Coexistence and Participation Commission of Comuna 1 (2006 – 2008); he has been the Chairman of the Community Action Board of the neighborhood Barrio Popular No. 1 (1996-2000); he was also an elected local councilor between 1995 and 1997 at the neighborhood Barrio Popular No. 1.

Mr. **OLMER ORLANDO PALACIO GARZÓN** is a Preschool Education professional from Universidad San Buenaventura, and has worked as a teacher and retail product promoter with years of experience in customer service, recognized for abiding by the principles of respect for life and nature, a life of service and self-discipline as the path towards success; for his teamwork skills and for abiding by the values of tolerance and honesty. As a social manager, he has always stood firm in carrying out his mission with clear objectives, demonstrating his commitment and leadership in his community. An individual who is constantly evolving in terms of education, with capabilities and skills to work with quality.

In view of the above, the Mayor of Medellín

DECREES

ARTICLE ONE. To accept the resignation of **SANDRA SUÁREZ PÉREZ** and **LUIS FERNANDO RICO PINZÓN** as members of the Board of Directors of Empresas Públicas de Medellín E.S.P (EPM).



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ARTICLE TWO. To appoint as members of the Board of Directors of Empresas Públicas de Medellín E.S.P (EPM), as the five (5) members freely designated by the Mayor of Medellín, the following:

- a) **BERNARDITA PÉREZ RESTREPO**
- b) **JORGE ANDRÉS CARRILLO CARDOSO**

ARTICLE THREE. Appoint as members of the Board of Directors of Empresas Públicas de Medellín E.S.P (EPM), as the three (3) persons selected by the Mayor of Medellín from among the Control Spokespersons registered by the Residential Public Utilities Social Development and Control Committees, the following:

- a) Mr. **GUILLERMO LEÓN DIOSA PÉREZ.**
- b) Mr. **GILDARDO ANTONIO CORREA SALAZAR**
- c) Mr. **OLMER ORLANDO PALACIO GARZÓN**

ARTICLE FOUR. Those appointed will fulfill their duties in accordance with the Constitution, the Law, and the Bylaws of Empresas Públicas de Medellín E.S.P.

ARTICLE FIVE. Send a copy of this Decree to Empresas Públicas de Medellín E.S.P., for its information and for all pertinent purposes.

BE IT PUBLISHED, NOTIFIED AND FULFILLED

DANIEL QUINTERO CALLE
Mayor of Medellín

MARÍA CAMILA VILLAMIZAR ASSAF
Private Secretary