

Mayor's Office of Medellín
District of Science, Technology and Innovation

DECREE 0425 OF 2022
(JUNE 28)

Whereby an appointment is made to the Board of Directors of Empresas Públicas de Medellín E.S.P - EPM.

THE MAYOR OF MEDELLÍN

In exercising his constitutional and legal powers, especially those granted by clause 3 of Article 315 of the Political Constitution and Article 7 of Agreement 12 of 1998, in accordance with Article 8 of Agreement 69 of 1997, and

WHEREAS

By Agreement 069 of 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 Agreement 012 of 1998, the Council of Medellín adopted the Bylaws of the Entity, whose Article 7 sets out the provisions for selecting the Board of Directors, which shall be chaired by the Mayor or his delegate, who must be an employee of the Administration, consisting of five (5) people freely appointed by the Mayor of Medellín and three (3) people chosen by the Mayor of Medellín, from among the supervisory voting members registered by the Committees for Development and Social Control of Residential Public Utilities.

That, on April 23, 2007, the "Framework Agreement on Relations between the Municipality of Medellín and Empresas Públicas de Medellín E.S.P." (herein the Agreement on Relations) was signed, which establishes that, in accordance with the provisions of clause 6, Article 27 of Law 142 of 1994, the Mayor of Medellín is the appointer of members of the Board of Directors and must take into account the elements indicated in clause 2.1.2. of the aforementioned agreement.

That the following is among the elements and criteria established in clause 2.1.2. of the Agreement on Relations for the appointer of the Board of Directors to consider when carrying out said work:

"(...) In order to select the members of the Board of Directors, the following criteria will be considered, aiming at selecting people of the highest academic, professional and human qualities:

1. Minimum academic education of a professional level in topics that can be considered related to the corporate purpose of Empresas Públicas de Medellín E.S.P. and the functions and responsibilities of a Board member.
2. Minimum academic experience of a professional level in topics that can be considered related to the public utilities sector and/or the Company's operations, such as commercial (marketing and sales) areas, processes, auditing, engineering, human management, etc.
3. (...)
4. Studying, as far as possible and following the procedures established to that end in Empresas Públicas de Medellín E.S.P.'s selection processes, their academic, professional and personal background, through which effective compliance with the aforementioned requirements, as well as their honesty and moral character, can be concluded.
5. Independent Board members. At least five (5) independent members shall be appointed to the Board of Directors, related to E.E.P.M E.S.P. and the Municipal Administration. For a member of the Board of Directors to be considered independent, they must comply with the requirements established in Paragraph 2 of Article 44 of Law 964 of 2005 in everything applicable. (...)"

By means of Decree 0278 of 2021, a resignation was accepted in the Board of Directors of Empresas Públicas de Medellín, leaving a vacancy for one member freely appointed by the Mayor of Medellín.

Once the Management Committee of Empresas Públicas de Medellín made its recommendation, after presenting the candidates to fill the vacancy on the Board of Directors, and having verified the grounds for ineligibility provided in Article 102 of Law 489 of 1998, which refers to National Decree 128 of 1976, and the qualifications of members as provided in Board of Directors' Decree 376 of 2015, one (1) new Board member was appointed.

Mr. Erez Bastiaan Ernest has a professional Bachelor of Arts from the Social Science and Humanities Program of Utrecht University in The Netherlands, according to the official translation document dated May 26, 2022. He has worked as Regional LATAM Director of Grupo Mana, Director of special projects at Iscol Investments-Pacific Fruits, Liaison Officer before the European Parliament and has been Economic Aggregate for Colombia and the Caribbean in the Embassy of Israel and member of the Board of Directors of UNE - TIGO.

Mr. Ernest is currently the Director of the Center for the Fourth Industrial Revolution of Colombia of Ruta N, a non-profit organization; the appointment corresponds to a NON-independent Board member. A record is made that the criteria for independence from the Board has been complied with according to the Agreement on Relations in clause 2.1.2., inasmuch as there are at least 5 independent members.

In view of the above, the Mayor of Medellín

HEREBY DECREES

ARTICLE 1. To appoint the following as a member of the Board of Directors of Empresas Públicas de Medellín E.S.P (EPM), from the five (5) members freely appointed by the Mayor of Medellín: Mr. EREZ BASTIAAN ERNEST ZAIONCE, identified with Foreigner's I.D. No. 1.154.301.

ARTICLE 2. The person appointed will fulfill his duties in accordance with the Constitution, the Law, and the Bylaws of Empresas Públicas de Medellín.

ARTICLE 3. Send a copy of this Decree to Empresas Públicas de Medellín for its knowledge and for all pertinent purposes.

ARTICLE 4. This Decree is effective as of the date of its communication.

BE IT PUBLISHED, SERVED AND FULFILLED

(Illegible Signature)
DANIEL QUINTERO CALLE
Mayor of Medellín

(Illegible Signature)
JUAN DAVID DUQUE GARCÍA
Private Secretary