

RESOLUTION NUMBER R- 301147

ADOPTED ON DEC 20 2005

A RESOLUTION APPROVING THE EXPENDITURE AND THE FIRST AMENDMENT TO THE AGREEMENT WITH ELECTRONIC EVIDENCE DISCOVERY, INC. RELATED TO THE SEC/USAO SUBPOENAS, AND AUDIT COMMITTEE DOCUMENT PRODUCTIONS.

WHEREAS, on September 12, 2005, the City of San Diego [City] and Electronic Evidence Discovery, Inc. [EED] entered into an Agreement [on file in the Office of the City Clerk as Document No.: RR-300822] for the creation of an electronic repository that the United States Securities and Exchange Commission [SEC], United States Attorney's Office [USAO], and the City Audit Committee [CAC] to use in conducting independent investigations; and


WHEREAS, the City desired to amend the Agreement to provide for additional electronic files to be included in the electronic repository that the SEC, USAO, and CAC will use to conduct their independent investigations; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized and empowered to execute, for and on behalf of said City, the First Amendment to the Agreement between the City of San Diego and Electronic Evidence Discovery, Inc., for additional electronic files to be included in the electronic repository that the SEC, USAO and CAC will use to conduct their independent investigations, for an amount not to exceed \$272,300, under the terms and conditions set forth in the First Amendment to the Agreement on file in the office of the City Clerk as Document No. RR- 301147 together with any reasonably necessary modifications or amendments thereto which do not increase the scope or cost and which the City Manager shall deem necessary from time to time in order to

carry out the purposes and intent of the First Amendment to the Agreement, provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary for such expenditure are on deposit in the City Treasury.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Anita Noone, Assistant City Attorney
or Paul G. Edmonson, Deputy City Attorney

AN:PGE:nda
10/18/05
Aud.Cert:2600315
Or.Dept:Office of CIO
R-2006-395

