

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: October 13, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposes Information Sharing Access Agreement ("ISAA") with the Dept. of Homeland Security/Federal Emergency Management Agency ("FEMA")

I have reviewed the above referenced Agreement with the participating Department/Office(s), and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Department of Public Utilities
- 2) Type of Agreement – Information Sharing Access Agreement
- 3) Method of Procurement (RFP, bid, etc.) – n/a
- 4) Term of Contract:
 - a) initial – three years
 - b) renewals (if any) – none
 - c) who exercises option to renew – n/a
- 5) Contract Amount – none
- 6) Termination Rights – either party may terminate agreement upon written notice to the other party.
- 7) Indemnity/Insurance Requirements – The City shall bear all costs, losses and damages to the extent resulting from City breach of the ISAA. City agrees to release, defend, indemnify, and hold harmless FEMA for claims, losses, penalties and damages and reasonable attorneys' fees and costs to the extent arising out of City's, or its contractor's, negligence, unauthorized use or disclosure of NFIP policyholder PII and/or City's, or its contractor's, breach of its obligations under the ISAA. City shall inform all of its principals, officers, employees, agents and contractors assigned to handling NFIP policyholder PII under the ISAA of the obligations contained in the ISAA.
- 8) Scope of Services – The purpose of this agreement is to enable FEMA to share personally identifiable information that is protected by the Privacy Act of 1974 and Section U.S.C. Section 552a, allowing the City to review National Flood Insurance Program policy and/or claims information for daily floodplain management, Community Rating System, hazard mitigation activities and Repetitive Loss Area Analysis.

9) Other Significant Provisions: n/a.

cc: Dr. Wazir Ishmael, City Manager