

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

**EXECUTIVE ORDER
NUMBER FORTY-FIVE**

**TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: AMENDING EXECUTIVE ORDER NUMBER FORTY-FOUR CREATING THE
RESILIENCE FUND INITIATIVE**

WHEREAS, a tropical storm with high winds, heavy rainfall, tornadoes, and flooding occurred throughout Delaware on August 4, 2020 which generated a significant amount of rain and flooding throughout the State, with accumulations of three to five inches of rainfall and sustained winds of 39 to 73 mph; and

WHEREAS, the high winds, heavy rainfall, tornadoes, and flooding from Tropical Storm Isaias caused coastal flooding, downed trees and power lines which caused extended power outages and other road hazards that made driving dangerous and created potentially life-threatening conditions for the citizens of Delaware; and

WHEREAS, I issued a State of Emergency on August 4, 2020 at 3:00 p.m. E.D.T.; and

WHEREAS, the State of Emergency permitted state agencies to assist citizens throughout the state to begin the clean-up efforts; and

WHEREAS, on August 7, 2020 a second significant weather event touched down in northern Delaware, which included tornados that uprooted trees, downed power lines, and caused significant property damage and flooding throughout parts of New Castle County; and

WHEREAS, as a result of the convergence of the August 4, 2020 storm and the August 7, 2020 storm (collectively the August 2020 storms) the state sustained significant damage to roads and property, with several homes likely to be condemned due to the significant damage they sustained; and

WHEREAS, although the State of Emergency was lifted, effective August 14, 2020 at 11:45 a.m. E.D.T., there remains extensive damage to roads and properties in Kent and New Castle Counties that will require significant effort to address the ongoing needs of citizens.


NOW, THEREFORE, I, JOHN C. CARNEY, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** the following:

1. The Delaware Resilience Fund Program (the “Program”) is hereby established to provide funding to address unmet needs to mitigate community-wide devastation caused by the August 2020 storms, which includes severe disruption to family social systems and extreme damage to property.
2. The Director of the Delaware Emergency Management Agency (DEMA), in consultation with the Director of the Office of Management and Budget, is authorized to do all of the following:
 - a. Coordinate with community organizations to assist families in need to make qualifying repairs to homes and property that are not otherwise covered by homeowner’s insurance and ensure the community organizations establish a process for citizens to make requests.
 - b. Enter into any agreements as necessary to carry out the responsibilities outlined above.
3. The Director of DEMA shall ensure that:


- a. Program funds directed to community organizations will be used for home repairs that are not covered by the homeowner's insurance, due either to an applicable deductible or qualification restrictions; funds provided will supplement, not supplant, homeowner's insurance.
 - b. Program funds may only be used to repair homes for applicants the community organizations determine fall within appropriate income guidelines, which shall include appropriate consideration of income fluctuation or change since the COVID-19 pandemic began.
 - c. Community organizations with which it engages in furtherance of the Program verify that:
 - i. Applicants for Program funds have legal authority to permit activities on the property;
 - ii. Applicants will obtain and comply with applicable permits or approvals for the activities on the property; and
 - iii. Applicants have satisfied all legal processes, obtained appropriate permissions from the property owners (rights-of-entry or other unconditional authorizations), and executed agreements to indemnify and hold harmless the state of Delaware and the Federal Emergency Management Agency.
4. The Secretary of the Delaware Department of Transportation (DELDOT) is directed to do all of the following:
- a. Using DelDOT's current road rating system, rate and assess damage to roadways throughout the state caused by the August 2020 storms.

- b. Designate, in coordination with the Director of the Office of Management and Budget, funds from its Snow/Storm Contingency Fund to repair roadways damaged by the August 2020 storms.
 - c. Coordinate its efforts with the Director of DEMA to ensure that roadways and property are cleared of debris and restored.
5. The Program is subject to the availability of funding designated for the specific purposes outlined above.
6. This Order or any policy related thereto does not create a right or entitlement in an individual to receive a monetary payment.
7. The Program shall terminate upon completion of all grants provided by DEMA pursuant to this Executive Order, but no later than October 31, 2021, unless extended by further Executive Order.
8. Executive Order Number Forty-Four, signed by Governor John Carney on August 20, 2020, is hereby rescinded.

APPROVED this 25th day of September 2020.


John C. Carney
Governor

ATTEST:


Secretary of State