

Big Bend Continuum of Care Governance Charter

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Introduction

WHEREAS, in 1987, Congress enacted the first major federal legislative response to homelessness by passing the McKinney-Vento Act;

WHEREAS, in 1987, the Florida Legislature began implementing the McKinney-Vento Act by creating local homeless coalitions;

WHEREAS, since 1994, the Continuum of Care (CoC) concept has been phased in administratively by the United States Department of Housing and Urban Development (HUD) to encourage communities to address homelessness in a coordinated and comprehensive manner;

WHEREAS, HUD guided CoC development and governance through HUD's annual Notice of Funding Availability (NOFA) annual competitions and a variety of HUD sources and values statements;

WHEREAS, in 2001, the Florida Legislature expanded state statute to create the Council on Homelessness, establish the Statewide Office on Homelessness, and outline the duties of the CoCs;

WHEREAS, the values that have guided the development of the CoC concept have been:

- Best serving people who are homeless
- Comprehensive local collaboration, coordination, and decision-making
- Data collection and performance
- Flexibility so communities can meet local needs
- Coordination between homeless assistance grantees and mainstream supportive services from other Federal agencies
- Incentivizing local strategies that involve accessing mainstream resources
- Performance driven decisions
- Data quality and data collection including HMIS, APRs, Point In Time counts, and housing inventory charts;

WHEREAS, in 2009, Congress codified the CoC Program as a core HUD program when it reauthorized the McKinney-Vento Act in the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act;

WHEREAS, in October 2012, HUD's Interim CoC Program Rule became effective by defining the CoC as the group in each state designated catchment area organized to carry out the responsibilities outlined in the rule and directing the establishment of a CoC Board by August 30, 2014;

WHEREAS, in 2016, the Florida Legislature directed the Statewide Office on Homelessness to collaborate with the Council on Homelessness to distribute Challenge Grants based on

performance and achievement of objectives, which may include the number of persons or households that are no longer homeless, the rate of return to homelessness, and the number of persons who obtain gainful employment;

WHEREAS, in 2016, the Florida Legislature directed that rapid rehousing be added to CoC plans in addition to the existing components of outreach, intake, assessment, emergency shelter, transitional living, supportive services, permanent supportive housing, permanent housing, linkages and referral mechanisms, services to prevent housed persons from returning to homelessness, and ongoing planning methods;

WHEREAS, Florida Statutes define the Homeless Assistance Continuums of Care (CoC) as the community components needed in each state designated catchment area to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency, including the action steps to end homelessness and prevent a return to homelessness; and

WHEREAS, HUD's Interim CoC Program Rule outlines that the CoC be composed of representatives of organizations, including nonprofit homeless service providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

THEREFORE, be it further enacted that the name of the Continuum of Care (CoC) for Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla counties, designated by the state office on homelessness as the Big Bend Continuum of Care, shall be the Big Bend Continuum of Care and the name of the CoC Board shall be the Big Bend Continuum of Care Board, herein referred to, respectively, as "the CoC" and "the CoC Board".

I. Purpose of the CoC

The CoC is a membership planning and oversight body for the eight-county region of the Big Bend of Florida. The eight counties are Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla.

The purpose of the CoC is to develop and implement strategies to help end homelessness in the Big Bend. The CoC coordinates the community's policies, strategies, and activities toward ending homelessness. Its work includes:

- A. Gathering and analyzing information to determine the local needs of people experiencing homelessness
- B. Identifying and bridging gaps in housing and services
- C. Implementing strategic responses
- D. Educating the community on homeless issues
- E. Providing advice and input on the operations of homeless services
- F. Measuring CoC performance

II. Responsibilities of the CoC Board

The CoC Board, as constituted in Article III of this Governance Charter, shall provide ongoing leadership, policy oversight, and implementation responsibility for fulfilling the purposes of the CoC, including the responsibilities set forth in Article II of this Governance Charter.

The responsibilities of the CoC Board, as delegated by the CoC, must include:

A. Operate a CoC

- 1. Hold meetings of the full membership, with published agendas, at least semi-annually.
- 2. Make an invitation for new members to join publicly available within the geographic region at least annually.
- 3. Adopt and follow a written process to select a CoC Board to act on behalf of the CoC and as a CoC, and review, update, and approve that process at least once every five years.
- 4. Appoint committees, subcommittees, and/or work groups.
- 5. In consultation with the CoC Board designated Collaborative Applicant and HMIS Lead Agency, develop, follow, and annually update this Governance Charter. This Governance Charter shall include all policies and procedures necessary to comply with HUD's CoC and HMIS requirements, including a code of conduct and recusal process for the CoC Board, its Chair, and any person acting on behalf of the CoC Board.

6. In consultation with recipients of Emergency Solutions Grant (ESG) funds within the CoC's geographic area, establish and operate a Coordinated Entry System conforming with HUD requirements and community needs.
7. In consultation with recipients of ESG funds within the CoC, establish and consistently follow written standards for providing CoC assistance.
8. Consult with recipients and sub recipients to establish performance targets appropriate for population and program type.
9. Educate the community on homeless issues.
10. Monitor performance of CoC and ESG recipients and sub recipients.
11. Evaluate the outcomes of projects funded under ESG and CoC programs.
12. Provide technical assistance and support to underperforming projects.
13. Based on outcome evaluations, recommend action by funders against ESG and CoC projects that perform poorly.
14. Approve the Collaborative Applicant's report on outcomes of ESG and CoC projects to HUD annually.

B. Develop a CoC Plan

1. Coordinate the implementation of a housing and service system within the CoC's geographic area that meets the needs of individuals and families experiencing homelessness. At a minimum, such a system encompasses the following:
 - a. Outreach, engagement, and assessment.
 - b. Shelter, housing, rapid re-housing, and supportive services (supportive services include, but are not limited to mental health, substance abuse, medical services).
 - c. Prevention strategies (preventing an episode of homelessness).
2. Develop strategies to end homelessness locally, based on the consideration of documented best practices, local needs and gaps, innovations in programs and service delivery, and available and potential resources.
3. Plan for and conduct an annual Point In Time count of persons experiencing homelessness within the CoC geographic area that meets HUD requirements, including a housing inventory of shelters, transitional housing, and permanent housing reserved for persons who are homeless, in general, and persons who are chronically homeless and veterans experiencing homelessness, specifically, as HUD requires.
4. Conduct an annual gaps analysis of the needs of people experiencing homelessness, as compared to available housing and services within the CoC geographic area.
5. Provide information required to complete any Consolidated Plans within the CoC geographic area.

6. Engage stakeholders and elected officials in each county about the opportunity to participate in the development of the CoC housing and service system plan and Point in Time count, and provide stakeholders and elected officials in each county with data reports and information about best practices, innovations, and available resources.
7. Consult with state and local government ESG recipients and sub recipients within the CoC geographic area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and sub recipients.

C. Designate a Collaborative Applicant

1. Designate an eligible entity to serve as the CoC's Collaborative Applicant.

D. Designate and Operate a Homeless Management Information System (HMIS)

1. Designate a single HMIS for the CoC's geography, and an eligible applicant to serve as the CoC's HMIS Lead Agency.
2. Review, revise and approve a CoC HMIS data privacy plan, data security plan, and data quality plan.
3. Ensure that the HMIS is administered in compliance with HUD requirements.
4. Ensure consistent participation by CoC and ESG recipients and sub-recipients in the HMIS.

E. Prepare an Application for CoC Funds

1. Establish the local process for applying, reviewing, and prioritizing project applications for funding in the annual HUD Homeless Assistance CoC Grants competition and for funding in other competitions, such as the Challenge Grant, as required by the funder.
2. Establish priorities that align with local and federal policies for recommending projects for HUD Homeless Assistance CoC Grant funding.
3. Designate an eligible Collaborative Applicant to advertise funding opportunities, collect and combine the required application information from all applicants.
4. Determine whether to authorize the Collaborative Applicant to apply for Unified Funding Agency designation from HUD.
5. Approve the final submission of applications by the Collaborative Applicant to HUD, in response to the CoC Notice of Funding Availability and funding in other competitions, such as the Challenge Grant, as required by the funder.

III. **Membership of the CoC Board**

The CoC Board shall be broadly based, with representation from all sectors of the community, including but not limited to, individuals experiencing homelessness, homeless service providers, business community, funders, and representatives of government. The CoC Board must be representative of the relevant organizations and projects serving homeless subpopulations, and must be representative of the geographic area served by the CoC. The CoC Board shall be a twenty-four (24) to thirty-one (31) member body as follows:

A. Appointed Members – Up to ten (10) members will be appointed, as follows:

1. One elected Commissioner person appointed by the Tallahassee City Commission, and one senior City of Tallahassee staff member to serve as an alternate.
2. One elected Commissioner person appointed by the Leon County Commission, and one senior Leon County staff member to serve as an alternate.
3. One person appointed by each County Commission for Franklin, Gadsden, Jefferson, Liberty, Madison, Taylor, and Wakulla counties who is either an elected County Commissioner or commission designee.
4. CoC Collaborative Applicant Lead Agency Executive Director, serving in a non-voting ex officio capacity

B. CoC Membership Elected Members – Twenty-one (21) members will be elected by the CoC Membership.

C. Additional Membership Requirements and Conditions:

1. No organization may have more than two paid staff, paid contractors, or Board of Directors members seated on the CoC Board at any time.
2. Every effort shall be made to ensure that CoC stakeholder groups, all counties in the CoC geographic area, and homeless services areas are represented on the CoC Board.
3. An individual who is appointed to the CoC Board by an appointing entity serves at the pleasure of the appointing entity.
4. An individual appointed or elected as a representative of an agency or population sits on the CoC Board in that capacity, and may no longer serve in that capacity if their representative status changes.
5. An individual appointed or elected in a representative capacity should have the authority to represent their respective agency or body.

IV. Composition, Selection, Terms, Qualifications, and Authority of the CoC Board Executive Committee

A. Composition – The CoC Board’s Executive Committee (Executive Committee) shall consist of eight individuals:

1. One CoC Board Chair
2. One CoC Board Vice Chair
3. One CoC Board Secretary
4. One CoC Treasurer
5. Three At Large Members
6. One Immediate Past Chair

B. Selection

1. The Nominating Committee shall present a slate to the CoC Board consisting of a Chair, Vice-Chair, Secretary, Committee Chairs, and At Large Members, preferably at a Board Meeting scheduled concurrently with a Membership Meeting, for election.

C. Terms and qualifications

1. Executive Committee members shall serve two year terms.
2. Executive Committee members may serve no more than two consecutive two year terms in a given office or role.
3. The Immediate Past Chair may serve for one year following the expiration of term as Chair.
4. No representative of a recipient of a CoC program or ESG funded agency may serve as Chair, Vice-Chair, Treasurer, or Secretary.
5. No organization may have more than one staff, one paid contractor, or one Board of Directors representative on the Executive Committee at any time, regardless of which seat that individual occupies.

D. Authority

1. The Executive Committee is empowered to act on behalf of the CoC Board between meetings of the CoC Board, in cases of emergency or as directed by the CoC Board, and is empowered to perform the responsibilities assigned to it outlined in VII.E.1, in accordance with the following:
 - a) A quorum for Executive Committee action is 51% of Executive Committee members.
 - b) Executive Committee action is subject to ratification by the full CoC Board at its next regular meeting.

- c) By a two-thirds vote of the CoC Board members present at the next regular CoC Board meeting, the actions of the Executive Committee may be overturned.

v. Terms of CoC Board Members

- A. Members of the CoC Board shall serve two-year terms.
- B. Appointed Members may serve more than three sequential terms at the discretion of the appointing authority, but must be reappointed every two years.
- C. CoC Member Elected Members may serve no more than three sequential terms and must be reelected to serve at the end of each term.
- D. Terms will be staggered as follows:
 - 1. Eleven Elected Members' terms shall conclude in odd numbered years and ten Member Elected Members' terms shall conclude in even numbered years.
- E. Terms will begin on the 15th of October each year.
- F. Persons (appointed or elected) to serve the unexpired term of a member who has resigned or been removed will serve out the remainder of that person's term. This person will be eligible for appointment or election to three subsequent sequential terms.

vi. CoC Board Member Qualifications and Responsibilities

All members of the CoC Board shall affirm a professional interest in, or personal commitment to, addressing and alleviating the impacts of homelessness on the people of the community. Each Board Member must also:

- A. Be a CoC member in good standing.
- B. Complete and sign a conflict of interest disclosure statement and regularly update that disclosure statement.
- C. Collaborate with other members to work toward the CoC mission and purpose.
- D. Abide by the CoC Governance Charter, policies, and procedures.
- E. If representing a certain sector of homeless services or prevention, solicit input from others in that sector who are not on the CoC Board to ensure their voices are represented.
- F. Attend and participate actively in CoC Board meetings and to the greatest extent possible, also participate actively in CoC Committee meetings.

- G. Participate in the activities of the CoC, including the Point-in-Time count, HMIS oversight, strategic planning, advocacy and public education efforts, projects and system performance reviews, and the application processes for CoC Homeless Assistance Grants and other funding proposals.

VII. CoC Board Process

A. Selection

1. As described in Article III A., up to ten (10) Appointed Members are appointed by specified bodies to the CoC Board. A specified body may appoint an Appointed Member at any time.
2. As described in Article III B., twenty-one (21) CoC Elected Members are elected by the CoC Membership. The CoC Membership may elect CoC Elected Members by a majority of members in attendance at CoC Membership Meetings.
3. The Nominating Committee will present a slate of CoC Board Member nominees to the Membership in a timely manner. Nominees may also be taken from the floor at the Membership meeting at which any Board election will be held.

B. Removal and Resignation

1. A CoC Elected Member may be removed for cause from the CoC Board upon a two-thirds vote of the remaining CoC Board Members in attendance.
2. If a CoC Board Member wishes to resign, the Board Member shall submit a letter of resignation to the Chair.

C. Conflict of Interest

1. All members of the CoC will scrupulously avoid conflicts between the interest of the CoC Board, and personal, professional and financial interests, including both potential and actual conflicts of interest, as well as perceptions of conflicts of interest.
2. Any individual participating in or influencing decisions must identify potential, actual, or perceived conflicts of interest as they arise and comply with the letter and spirit of this policy.
3. A financial conflict of interest is broadly defined to include a conflict by any CoC Board Member with any other Member(s), professional employment and groups, funding sources, and vendors, and with members of their immediate family or significant others.
4. Disclosure should occur at the earliest possible time and, if possible, prior to the discussion of any such issues.

5. Individuals with a conflict of interest shall abstain from both discussion and voting on any issues in which they may have a conflict.
6. An individual with a conflict who is the CoC Board Chair shall yield that position during discussion and abstain from voting on the item.
7. Decisions by the CoC Board must be justifiable as being in the best interests of the CoC.
8. Minutes of meetings involving possible conflicts of interest shall record such disclosure, abstention, and rationale for approval.
9. Additional commitments to support this by CoC members include refraining from influencing the selection of staff, consultants, or vendors who are relatives or personal friends or affiliated with, employ, or employed by a person with whom they have a relationship that adversely affects the appearance of impartiality.

D. Meetings, Decision Making, Quorum, and Proceedings

1. CoC Membership meetings shall be held at least semi-annually.
2. The CoC Board will meet more frequently, as needed.
3. All CoC Membership meetings, CoC Board meetings, and CoC Committee meetings shall be open to any CoC Member or interested party.
4. The date, time, and location of such meetings will be noticed in advance through the CoC's electronic membership list.
5. Meeting agendas and materials shall be emailed in advance to CoC Members, CoC Board Members, and CoC Committee Members respectively depending on the nature of the meeting being held. Interested parties may access materials at meetings.
6. In addition, the Membership Meetings shall be noticed through the designated Collaborative Applicant website home page and by publication in the Tallahassee Democrat.
7. Should the requirements of the State of Florida Sunshine Law be relevant to any meeting, the CoC and the CoC Board will comply with the requirements of the Sunshine Law.
8. A quorum for CoC Board meetings is defined as fifty-one percent (51%) of the CoC Board Membership. A quorum for CoC Membership meetings is one-third (1/3) of the CoC Membership.
9. Conduct of all CoC meetings shall be vested in the Chair. Meetings are conducted according to Robert's Rules of Order, revised edition.
10. CoC Board, Membership, and Committee meetings must provide an opportunity for all CoC Board members present to be heard and for the efficient conduct of business.

11. Actions of the CoC Board will be by majority vote of the CoC Board Members present.
12. Decisions at the CoC Membership meetings will be final upon a majority vote of CoC Members present.
13. Board and Membership Meetings shall be audio recorded and minutes shall be prepared by Collaborative Applicant staff and made available to interested parties.

E. Committees and Workgroups

The CoC Board will appoint committees, subcommittees, or workgroups to fulfill the work of the CoC. Committees and workgroups will be open to CoC Members and CoC Board Members. Committees and workgroups will submit their findings and recommendations to the CoC Board for further action. Standing CoC Committees will include:

1. **Executive Committee** – The Executive Committee is empowered to act as outlined in IV.D. To further assist the CoC Board with its responsibilities to operate a CoC, the Executive Committee will also:
 - a) Make recommendations for semi-annual full membership meetings.
 - b) Make recommendations for annual public invitation process for new members.
 - c) Review the written process to select a CoC Board at least once every five years and recommend updates.
 - d) Appoint CoC Board Members and CoC Members to committees, subcommittees, or work groups.
 - e) Review budgets, financial statements, contract compliance reports, audits, and other materials relevant to the CoC Board oversight role.
 - f) In consultation with the Collaborative Applicant and the HMIS Lead Agency, develop, follow, and annually update this Governance Charter, which will include all procedures and policies needed to comply with HUD requirements and with HMIS requirements, including a code of conduct and recusal process for the CoC Board, its Chairs, and any person acting on behalf of the CoC Board.
 - g) At the Chair’s discretion, the Executive Committee may invite other CoC Board Members and CoC Members to participate in and assist with annual Governance Charter review activities.
2. **Application and Project Performance Review Committee** – To assist the CoC Board with its responsibility to develop performance targets, monitor

performance, and recommend projects for funding, the Project Performance and Application Review Committee will:

- a) Review local and federal policy priorities and recommend the adoption of priorities that align with them.
- b) Recommend and implement a local process for applying, reviewing and prioritizing project applications for funding in the annual HUD Homeless Assistance CoC Grants competition and State of Florida Department of Children and Families Challenge Grant competition.
- c) Recommend a process for how the CoC:
 - i. Consults with recipients and sub recipients to establish performance targets appropriate for each population and program type
 - ii. Monitors performance of CoC and ESG recipients and sub recipients, evaluates the outcomes of projects funded under ESG and CoC programs
 - iii. Provides technical assistance and support to underperforming projects, and
 - iv. Takes action against ESG and CoC projects that perform poorly
- d) Ensure that the outcomes of ESG and CoC projects are reported to HUD annually.

3. **Coordinated Entry Committee** – To assist the CoC Board with its responsibility to establish and operate a coordinated entry system, the Coordinated Entry Committee will:

- a) In consultation with recipients of Emergency Solutions Grant (ESG) funds within the CoC's geographic area, establish and operate a Coordinated Entry System that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services; and
- b) In consultation with recipients of ESG funds within the CoC, establish and consistently follow written CIA standards for providing CoC assistance.

4. **HMIS Committee** – To assist the CoC Board with its responsibility to oversee the HMIS in compliance with HUD's requirements, the HMIS Committee will:

- a) Review, revise and recommend a CoC HMIS data privacy plan, data security plan, and data quality plan;
- b) Review HMIS administration and recommend any changes needed to ensure compliance with HUD requirements; and
- c) Make recommendations to ensure consistent participation in the HMIS by CoC and ESG recipients and sub-recipients.

5. **Needs Assessment and Planning Committee** – To assist the CoC Board with its responsibility to coordinate the implementation of a housing and service system

within the CoC's geographic area that meets the needs of individuals and families experiencing homelessness, the Needs Assessment and Planning Committee will:

- a) Assist the Collaborative Applicant and CoC Board to conduct an annual gaps analysis;
 - b) Make annual recommendations to the CoC Board for updates to the Homeless Assistance Plan;
 - c) Assess needs for outreach, engagement, and coordinated assessment, shelter, housing, rapid re-housing, and supportive services, prevention strategies, strategies to end homelessness locally, based on the consideration of documented best practices, local needs and gaps, innovations in programs and service delivery, and available and potential resources;
 - d) Consult with state and local government ESG recipients within the CoC geographic area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and sub recipients;
 - e) Assist the Lead Agency to plan for and conduct the annual Point In Time count, including a housing inventory of shelters, transitional housing, and permanent housing reserved for persons who are homeless, in general, and persons who are chronically homeless and veterans experiencing homelessness, specifically, as HUD requires; and
 - f) Assist the Collaborative Applicant to provide information required to complete the Consolidated Plan(s) within the CoC geographic area and make recommendations for improving the engagement of each county in the CoC.
6. **Nominating Committee**—To identify, recruit and present a slate of CoC Board and Executive Committee nominees to the CoC Membership in a timely manner. The CoC Board nominee slate will be developed to meet the representativeness criteria set forth in Article III. The Immediate Past President shall chair the Nominating Committee. The Committee shall include at least one homeless services provider, one primary funder of homeless services, and at least two additional members.

The CoC Board may also create time-limited ad-hoc committees to develop recommended solutions to the specific issue for which they were created.

VIII. **CoC Membership**

A. **Responsibilities of the CoC Membership**

1. Delegate authority to the CoC Board for meeting the responsibilities set forth in Article II of this Charter.

B. Relationship between Big Bend CoC Board and Full CoC Membership

1. CoC Board meetings will be open to the full CoC membership, and the minutes of the CoC Board meetings will be public and easily accessible to CoC members.
2. The CoC Board will keep the full membership involved by engaging CoC members in workgroups and committees, and sharing information via email lists and any other means appropriate.
3. Each CoC member in good standing who is present at the CoC annual meeting is entitled to one vote.
4. To be a member in good standing, the individual or organization must have completed an application for membership and paid dues in full for the year.
5. The CoC Board determines membership dues annually.
6. Dues will be waived for persons experiencing homelessness.

C. Recruitment and Outreach

1. The CoC will publish and appropriately disseminate an open invitation at least annually for persons within the CoC area to join as new CoC members.
2. The CoC will document recruitment efforts.
3. The CoC will identify and address membership gaps in essential sectors, from key providers or other vital stakeholders.
4. The CoC will recruit members to ensure that it meets all membership requirements set forth in its Governance Charter, including representation of certain populations and certain organizations.
5. Specifically, outreach will be conducted to obtain membership from the following groups as they exist within the Big Bend CoC geographic area and are available to participate in the CoC:
 - a) Nonprofit homeless assistance providers,
 - b) Victim service providers,
 - c) Faith-based organizations,
 - d) Governments,
 - e) Businesses,
 - f) Advocates,
 - g) Public housing agencies,
 - h) School districts,
 - i) Social service providers,
 - j) Mental health agencies,
 - k) Hospitals,

- l) Universities,
- m) Affordable housing developers,
- n) Law enforcement,
- o) Organizations that serve veterans,
- p) Individuals who are, or have been, homeless, and
- q) Other relevant organizations within the CoC's geography (which may include mental health service providers and funders, substance abuse service providers and funders, foster care, local job councils, etc.).

ix. Amendment and Review

The CoC will review, update, and approve this Governance Charter at least annually. Amendment of the Governance Charter requires a majority vote of the CoC members present at a regularly scheduled meeting of the CoC, if notice of the scheduled vote on the Governance Charter amendment was provided at least two weeks prior to that CoC meeting.