

PRESBYTERY OF SAN DIEGO STATED MEETING – February 17, 2009

The Stated meeting of the Presbytery of San Diego at Faith Presbyterian Church, San Diego was convened by Pastor Chris Lenocker, Moderator, at 5 p.m. He led the presbytery in prayer and, as host pastor, welcomed the presbytery.

ROLL: It was VOTED that the roll would be taken by card, and that those registering during the meeting, together with corresponding members, and those requesting leaves of absence (when granted) constitute the roll. A quorum was present.

	<u>CONGREGATION</u>	<u>MINISTERS</u>	<u>ECCLESIASTICAL DESIGNATION</u>	<u>ELDERS</u>
1	Brawley, First	E. Crews	108	Carolyn Benson
2	Carlsbad, Christ Church of La Costa	D. J. Kelly(e) B. Roth	101 193	Ann Calvert Bob Shuff
3	Chula Vista, Chula Vista	R. Davis	101	Joan Stroh Cora Gregory
4	Coronado, Graham Memorial	D. H. McElrath(e)	101	Frank Wuerfel Langdon Smith
5	El Cajon, First	S. W. Locke	101	Cindy Graham Dick Berry
6	El Cajon, Fletcher Hills	K. Womack B. Reed L E. Raines W. C. Manning	101 103 109 109	Patsy Battenfield Bob Battenfield
7	Escondido, Westminster	J. S. Rauch ^(e)	101	Carole Ostrander Jean Swenk
8	Fallbrook, Fallbrook			
9	La Jolla, La Jolla	P. Cunningham J. Medcalf M. Sedgwick G. Spearman	101 103 193 797	Bobby Foushee Matt Hurley Mary Kinyon
10	La Jolla, Mt. Soledad	J. Moser E. Piper	101 797	Jane Camerer
11	La Mesa, La Mesa	D. Pierson	101	Jerry Moody
12	Lakeside, Community	R. W. Mentze	101	Larry Rega
13	Oceanside, First	Vacant E. Wilson D. A. Walker	101 103 109	Donna Robertson Brian Maynard Todd Nalley Paul Hefner (e) Barry Farrell
14	Rancho Santa Fe, Village Community	J. Baca J. K. Farley S. Mitchell D. R. Caughey C. H. Dierenfield	101 103 103 109 109	David Buck Mike Kendall Claire Padgett
15	San Diego, Christ United	E. Girod(e) G. W. Smith	105 109	Ardelle Matthews Herman Collins
16	San Diego, Faith	C. M. Lenocker J. L. Messervé	101 797	Stu Elder
17	San Diego, First	W. Ray M. E. Walls L. Riley P. R. Pulliam	105 103 103 109	Rudy Kosits Marilyn Carnes Tina Thompson Peggy Baker

18	San Diego, Korean	Y. H. Kang	101	Soon K Chang Kichull Kim
19	San Diego, Linda Vista	R. R. Hayward H. M. Heath, Jr.	299 109	Steve Awe
20	San Diego, Mira Mesa	W. L. James	101	Patrick Hubbard
21	San Diego, Northminster	M. Watson	101	Johana Smith
22	San Diego, Pacific Beach	A. Deuel	101	Jane Kay
23	San Diego, Palisades	H. G. Throop	101	Barbara Van Meter Ruth Sweet
24	San Diego, Point Loma Community	J. Powell R. Brown A. Sultz	101 103 109	Charles MacVean Bob Moore John Pearson Kristine Zortman(e)
25	San Diego, Rancho Bernardo Community	B. B. Humphrey N. Nybo R. Sparling M. Wasef Joe Farrell J P. Lee	101 193 103 103 103 109	Lois Sheldon Lois V. Farley Jeanne Pochel Polly Purcifull Bob Newton
26	San Diego, Southeast	H. W. Cooper, Jr.	101	Donna Cooper
27	San Diego, Taiwanese Presbyterian Church	Shang Nan Tsai	101	Sam Tsai
28	San Diego, Westminster	T. Wolfe M. Taxer	101 109	Marcy Bergqvist William Hodgkiss(e)
29	Solana Beach, Solana Beach	M. McClenahan B. E. Moller T. D. Theriault J. Kerkhoff J. Lagerstrom J. Espitia	101 103 103 103 107 107	Ellen Larson Russ Love Dorothy Griswold Brenda Thompson
30	Spring Valley, Trinity	R. W. Yenter	101	Charles Porter Bob Hensley
31	Vista, Grace	T. Straeter W. C. Bynagte	101 797	Hank Morris Nancy Tiburski
32	Westmorland, Community	E. Crews	108	Ruth Hoskins

BOLD = Attended Meeting = excused A = Alternate

<u>SPECIAL OFFICES</u>		<u>ECC DESIGNATION</u>
* Executive Presbyter	Clark Cowden	302
* Stated Clerk	Linda Therien	303
* Sudanese-American NCD	P. Lual	301
* Discovery Valley NCD	C. Kohlbry	301
* Iglesia Church	Efrain Romero	301
Director, Pres Urban Ministries	Roger Christiansen	305

CORRESPONDING MEMBERS

Rev. Mickie Choi, Presbyterian Investment & Loan Program
Rev. Kevin L. Johnson, Navy Chaplain, Camp Pendleton
Rev. Ian Farrell, Pacific Presbytery

INQUIRERS & CANDIDATES

Mary Beck, Candidate, Rancho Bernardo Community Presbyterian Church

MODERATOR

* **C. M. Lenocker**

VICE-MODERATOR/MODERATOR ELECT

* **Gerry Tayler**

* Owen Wickstrand	Chair, Budget, Property, and Finance Committee
* Anne Clark	Chair, Ecclesiastical Committee
* Eloise Housman	Chair, Committee on Ministry
* Bill Tayler	Chair of the Presbytery Missions Committee
* Nancy Harber	Chair, Human Resources
* Barry Billingsley	Member-at-Large of Council
Steve Rybicki	Director of Administration and Missions Services
Machelle Christiansen	Presbytery Secretary/Receptionist
Roger Christiansen	Director, Presbyterian Urban Ministries

* = voting member

VISITORS AND GUESTS:

Chris Yanov, Director, Reality Changers
Elder Cheryl Foster, Brawley First
Elder Jill Hammer, Presbyterian Foundation
Elder Roger Irle, Olympia Presbytery
Linda Sunderland, Linda Vista Presbyterian Church
Elder John Turner, Monte Vista Grove, Los Ranchos Presbytery
Elder Marc Pena, Chula Vista Presbyterian Church
Elder Marjorie Reid, Clerk of Session, Linda Vista Presbyterian Church

OTHER MINISTERS:

R. K. Adams	299	R. P. Goodhart	299	D. Newhouse	299
P. D. Allen	761	J. Hagelganz	299	P. C. Paik	797
H. Allen	797	C. Hammond	299	P. Powell	797
R. W. Anderson	299	L. A. Henderson	299	F. W. Pritchard	299
K. C. Bealo, Sr.	299	W.W. Hoffmann	299	T. R. Respass	299
R. Benson	299	C. M. Hong	299	E. Reynolds	645
C. Berry (e)	797	R. F. Hughes	299	G. Robertson	797
R. C. Betters	299	R. Humphries	299	J. H. Robertson	299
J. H. Boller, Jr.	299	T. A. Jasso	299	D. Satre	791
D. R. Burnight	299	L. S. Johnson	797	T. M. Simpson	797
J. H. Calhoun	299	T. F. Johnson	299	B. S. Smith	299
J. Chambers	299	H. Jonas	299	D. C. Smith	299
H. Christ	309	R. H. Kim	797	M. Smith	761
M. Cross Sexton(e)	299	C. Kohlby	301	W. A. Soldwisch	405
R. R. Cunningham	299	T. C. Lai	791	G. L. Stewart	299
D. A. Davis	299	C. S. Lee	791	W. A. TeSelle	299
S. W. DeLong	299	A. Y. Lin	791	L. E. Vick	299
A. F. Desterhaft	299	B. E. Lucas	797	H. S. Vigeveno	299
R. B. Dulaney	299	E. V. Lyons	299	A. J. Wartes	299
D. R. Edic	299	W. B. Mack	299	D. Webster	797
B. C. Fairchild	299	R. H. Mayo	299	P. Weiler	299

I. Farrell	797	T. H. McPhatter	299	M. F. Willard, Jr.	299
P. Fisher	797	C. M. Mershon	299	R. T. Williams	299
V. Ford	299	R. L. Miller	299	S. E. Wirt	299
J. D. Freeberg	797	A. Mills (e)	404	W. G. Wollam	299
R. Garton	299	R. J. Myers	105		
J. Garza	299	D. H. Nason	654		

Attendance:

Ministers	40
Elders	49
Corresponding	3
Inquirers/Candidates	1
Visitors/Others	8
Total	101

The Moderator introduced Elder Linda Therien, Stated Clerk

Presbytery VOTED to approve the proposed docket.

The Presbytery VOTED to receive and approve the following report of the Stated Clerk

1. The Stated Clerk reported that pursuant to the Presbytery *Manual of Operations, Part I*, the following will be the corporate officers of the Presbytery of San Diego in 2009.

President – Council Moderator – Elder Elizabeth Crews
Vice-President – Council Vice-Moderator – Pastor Bruce Humphrey
Secretary – Stated Clerk of Presbytery – Elder Linda Therien
Treasurer – Chair of Budget Property & Finance – Elder Owen Wickstrand

These officers are responsible for managing the corporate affairs of the Presbytery in 2009.

2. The Stated Clerk reported that the transfer of the Rev. John Skelly to Los Ranchos Presbytery is complete.
3. The Stated Clerk reported that permission was granted to the Rev. Ann L. Hayman, a minister member in good standing of Pacific Presbytery, to participate in a memorial service on January 3, 2009 at the Brawley Presbyterian Church.
4. The Stated Clerk reported the following resignations from Presbytery committees:

Elder Phil Damon, Missions Committee, Class of 2010
Pastor Janice Cook, Committee on Preparation for Ministry, Class of 2009
Pastor Joe Farrell, Evangelism Committee, Class of 2009

These vacancies have been referred to the Nominating Committee of Presbytery to nominate replacements.

5. The Stated Clerk reported that the Administrative Commission to ordain Nathan Landis has been dismissed with appreciation and thanks. Further, that the enrollment of Rev. Nathan Landis as a Minister of Word and Sacrament has been completed.
6. The Stated Clerk reported that the offering received at the November meeting of Presbytery was \$333.00.

7. The Stated Clerk reported that the Administrative Commission to ordain and install Jake Medcalf has completed their work and is dismissed with thanks. Rev. Medcalf is now enrolled as a minister member of San Diego Presbytery. A copy of their report is on file in the Stated Clerk's office.
8. The Stated Clerk reported that Disciplinary Case #008-01 has been appealed to the Synod of Southern California & Hawaii. The date for the appeal to be heard has not been determined. The grounds for the appeal were filed as "injustice in the process and error in constitutional interpretation in regard to D-11.0301 and D-11.0302."
9. The Stated Clerk reported that the Office of General Assembly has acknowledged receipt of the overture initiated by the San Diego Presbytery and reports that one concurrence has also been received. That concurrence is from the Presbytery of Central Florida. In addition, another similar overture has been filed by Cherokee Presbytery.
10. The Stated Clerk reported that all official correspondence and communications received since the last meeting have been referred to the appropriate governing body, committee, commission or staff in accordance with the *Manual of Operations, Part I*.
11. The Stated Clerk reported the following deadlines for the 219th General Assembly to be held in Minneapolis, Minnesota July 3 – 10, 2010.

120-day deadline – March 5, 2010

Overtures requesting amendment to or interpretation of the *Book of Order*

60-day deadline – May 4, 2010

Overtures having financial implications for current or future budgets

45-day deadline – May 19, 2010

All other overtures

30-day deadline – June 3, 2010

Time by which consultation with affected entity must have occurred

12. The Stated Clerk reported that the following dates have been set by the Superior Court of San Diego in the matter of the Fallbrook Presbyterian Church v Presbyterian of San Diego:

Settlement Conference – June 12, 2009

Expert Exchanges – June 11, 2009 & July 1, 2009

Motion/Discovery Cutoff – September 4, 2009

Trial Readiness Conference – September 11, 2009 (10:30 a.m.)

Trial – October 9, 2009 (9:15 a.m.)

13. The Stated Clerk submitted the following report of the 2009 imbalance of minister members of presbytery and elder commissioners to presbytery:

The *Book of Order* requires the Stated Clerk to annually ascertain the number of resident ministers who are members of presbytery and the number of elders, which the churches are entitled to send as commissioners to presbytery meetings. When the number of ministers is larger, the Stated Clerk shall bring the imbalance to the attention of the presbytery. The presbytery shall redress the imbalance (G-11.0101). There are currently 142 ministers who are able to participate in Presbytery. In a review of the Presbytery rolls of "other" ministers,

the Stated Clerk has identified seventy who have not participated in presbytery life during at least the past year and are subtracted from the number of those participating for the purpose of determining the imbalance. This calculation leaves seventy-two minister members active in presbytery. Also taken into consideration in preparation of this report is the fact that the Fallbrook Church has been removed from the calculation and the membership of Oceanside Presbyterian Church is figured at 981 members rather than 1,265 that was reported in the 2007 statistical report.

Based on the 2007 statistics, each church of the Presbytery of San Diego is entitled to one elder commissioner with the following exceptions:

La Jolla - 3	Pt Loma Community - 3	Rancho Santa Fe - 3
Solana Beach - 4	First Oceanside - 2	Rancho Bernardo - 5
First San Diego - 2		

In other words, twenty-three churches are entitled to one commissioner and seven churches more than one as detailed above. Based on this calculation there are forty-five commissioners appropriated to Presbytery based solely on church membership statistics.

In addition to this representation, the following elders are enrolled as members of Presbytery based on their election to office during 2009. They are:

Council Moderator	Elder Elizabeth Crews (San Diego 1 st)
Presbytery Vice-Moderator	Elder Gerry Tayler (Christ LaCosta)
Stated Clerk	Elder Linda Therien (Palisades)
Committee on Ministry Chair	Elder Eloise Housman (Solana Beach)
Budget Property & Finance Chair	Elder Owen Wickstrand (La Jolla)
Ecclesiastical Chair	Elder Anne Clark (El Cajon 1 st)
Missions Chair	Elder Bill Tayler (Christ LaCosta)
Human Resources	Elder Nancy Harber (Faith)
At-Large to Council	Elder Barry Billingsley (Solana Beach)
Commissioned Lay Pastors	Elder James Lagerstrom (Solana Beach)
	Elder Juan Daniel Espitia (Solana Beach)

The combination of elder commissioners from churches and those that hold membership by virtue of their office is fifty-six.

There are fifteen churches eligible to add an additional commissioner based on membership totals that are more than one-half of the required number set by the *Book of Order* to be entitled to an additional representative. They are Christ La Costa, Chula Vista, El Cajon First, Fletcher Hills, Westminster Escondido, La Jolla, Oceanside First, San Diego First, Point Loma Community, Palisades, Westminster San Diego, San Diego Korean, Trinity and Grace Vista.

The recap of this analysis is as follows:

Minister members eligible to participate in Presbytery	142
Less ministers not participating in Presbytery	70
Net minister participants	72

Current elder commissioners determined by church membership	46
Additional elder commissioners assigned to churches	15
Elder members by virtue of office	11
Net elder participants	72

Net imbalance (minister commissioners over elder commissioners) 0

Therefore, the final allocation of elder commissioners to Presbytery from churches in 2009 is as follows:

First Brawley	1	Pacific Beach	1
Christ La Costa	2	Pt Loma Community	4
Chula Vista	2	Rancho Bernardo	5
Graham Memorial	2	Northminster	1
First El Cajon	2	Palisades	2
Fletcher Hills	2	Westminster San Diego	2
Westminster Escondido	2	Mira Mesa	1
Linda Vista	1	Southeast	1
La Jolla	4	San Diego Korean	2
Mt. Soledad	1	Christ San Diego	1
La Mesa	1	Faith	1
Lakeside	1	Solana Beach	4
First Oceanside	3	Trinity Spring Valley	2
Rancho Santa Fe	3	Grace Vista	2
First San Diego	3	Westmorland	1
		Taiwanese	1
		Total elders from churches	61

Elder Linda Therien

The Presbytery VOTED to receive and approve the following reports from the Presbytery Council, the Committee on Ministry, the Committee on Preparation for Ministry and the Presbyterian Urban Ministry Bequest Fund Committee:

The Presbytery Council met on January 6, 2009, and took the following actions:

1. Voted to suspend the Standing Rule in Chapter IV, II.5 (page 20 in the *Manual of Operations, Part I*) to allow the Council to meet only in the months the Presbytery does not meet. Therefore, the Council set the first Tuesday in January, March, May and October 2009 as their meeting dates. They further acted to empower the Executive Committee of the Council (ECC) to act for the Council, if necessary, in the months the presbytery does meet.
2. Voted to concur in the recommendation of the Council Moderator that Rev. Dr. Bruce Humphrey serve as Vice-Chair of Council for 2009.
3. Voted to present their "Dismissal" document to the February 2009 meeting of Presbytery with the intent that it be voted at the April 2009 meeting.
4. Voted to establish a Council level Stewardship Committee to be chaired by the Vice-Moderator of Presbytery, Elder Gerry Tayler.

5. Voted to accept the invitation of the Rancho Bernardo Presbyterian Church to host the June 16, 2009 meeting of Presbytery.
6. Voted to affirm the start time of the February Presbytery meeting at 5:00 pm.
7. Voted to change the date/time of the April 2009 meeting of Presbytery to Saturday, April 18, 2009 from 9 am – 1 pm at a location to be determined. (An invitation is pending from Chula Vista Presbyterian Church and the Council will vote this invitation at their meeting on March 3, 2009.)
8. Voted to defer the formation of the Stated Clerk Evaluation Committee from March 2009 until April 2009. The Presbytery *Manual of Operations, Part I* on page 14 states “...The Evaluation Committee shall be elected no later than the March stated meeting of the Presbytery....”
9. Voted to instruct the Executive Committee of Council to report to the March 2009 Presbytery Council meeting on a staffing model they would recommend for the immediate future.
10. Voted to release the Reality Changers program and all associated funds to their newly established 501.c.3 corporation, contingent on their providing the Stated Clerk’s office with their Articles of Incorporation. (These documents have been provided to the Stated Clerk)
11. Voted to endorse a recommendation to the Synod of Southern California & Hawaii that they commit \$80,000 for a Commissioned Lay Pastor training program for the presbyteries within the Synod.
12. Voted to concur in the recommendation of the Budget Property & Finance (BP&F) Committee that the proposed budget presented to the Council, that includes a 5% reduction as recommended by Presbytery, be endorsed by the Council and that the BP&F committee present it to the Presbytery for adoption at the February 17, 2009 meeting of Presbytery.
13. Voted to concur in the request of the Committee on Ministry, Dr. Lewis Leon and the congregation of the Oceanside Presbyterian Church that the pastoral relationship between Dr. Leon and the Oceanside Church be dissolved effective December 1, 2008. All financial obligations have been met between the parties.
14. Voted to elect Rev. Bill Soldwisch to the Mission Committee, Class of 2010.
15. The Presbytery Council received the following report from the Administrative Commission for Fallbrook Presbyterian Church at the Council meeting on January 6, 2009.

The Fallbrook AC continues to work as charged by the Presbytery.

The attorney representing the Fallbrook Church (David Tyra of Sacramento, California), presented an offer to the AC that is described as “woefully inadequate and an insult to the AC.” The AC responded through their attorneys (Elder Michael Williams of Village Presbyterian and Elder Robert Hanna of Pt. Loma

Community) with five different options for settlement. This was presented to Mr. Tyra in late November 2008.

The current status is that the AC is waiting for a response from Mr. Tyra.

The AC is hopeful that one of the options offered will be acceptable but as of this date can not speculate as to the probability of settlement.

The AC will continue to work prayerfully through the process and asks for your prayerful support for them.

Members of the AC are: Elder Jack Shelver, Faith, Chair; Elder Carole Ostrander, Westminster Escondido; Elder Bill Tayler, Christ Carlsbad; Elder David Buck, Village; Elder Eloise Housman, Solana Beach; Rev. Dr. Pam Powell; Rev. Will Bynagte; Rev. Tom Straeter and Rev. Randy Yenter.

Elder Elizabeth Crews, Council Moderator

The COM met on November 25, 2008, and took the following actions:

1. Voted to concur in the request of the Rev. John Skelly and Los Ranchos Presbytery that Rev. Skelly be transferred to Los Ranchos Presbytery retroactive to November 1, 2008.
2. Voted unanimously to receive the letter written to the Stated Clerk by Rev. Jerome Marroquin and accept it as his renunciation of jurisdiction of the Presbyterian Church (U.S.A.) and further instructed the Clerk to communicate this decision to Mr. Marroquin.

Book of Order G-6.0700 states “When a church officer, whether a minister of the Word and Sacrament, elder, or deacon, renounces the jurisdiction of this church in writing to the clerk or stated clerk of the governing body of jurisdiction, the renunciation shall be effective upon receipt. Renunciation of jurisdiction shall remove the officer from membership and ordained office and shall terminate the exercise of office.”

3. Voted to establish a sub-committee of the COM to develop guidelines for a “Benevolence Fund” to be administered by the committee. Clark Cowden will take the lead on this project in 2009.
4. Voted to authorize Elder Elizabeth Crews to continue to serve as Temporary Supply to Brawley Presbyterian Church through April 2009, pending receipt of a formal request from the Session of the church.
5. Voted unanimously to receive the letter written to the Stated Clerk by Rev. Kirk Bottomly and accept it as his renunciation of jurisdiction of the Presbyterian Church (U.S.A.) and further instructed the Clerk to communicate this decision to Mr. Bottomly.

Book of Order G-6.0702 states “When a church officer, after consultation and notice, persists in a work disapproved by the governing body having jurisdiction, the governing body may presume that the officer has renounced the jurisdiction of this church.”

Elder Michael Williams, 2008 Chair

The COM met on January 27, 2009, and took the following actions:

1. Voted to instruct the Stated Clerk to correspond with Rev. Bob Myers and inform him that his status with the Presbytery of San Diego terminated on December 31, 2008 and that he would no longer be considered a member of presbytery for purposes of voice and vote. Rev. Myers will return to full participation in his denomination of membership – The Reformed Church in America.
2. Voted to dissolve the Associate Pastor position, previously occupied by Rev. Jan Cook, effective January 24, 2009.
3. Voted to grant the request of the Rev. Dr. James Giddens, that he be given permission to labor outside the bounds of the Presbytery of San Diego and inside the bounds of Mission Presbytery. Mission Presbytery has granted permission to labor inside their bounds.
4. Voted to approve the job description for the one-half time Stated Supply Pastor for Linda Vista Presbyterian Church.
5. Voted to appoint Rev. Will Bynagte to moderate the session of Linda Vista Presbyterian Church on February 9, 2008 at 3:30 p.m.
6. Voted to appoint a sub-committee to review and approve the updated Mission Study and Church Information Form for Oceanside Presbyterian Church and further to serve as the screening committee for those applying for consideration as Designated Pastor Candidates for the church. Those appointed were Rev. Dr. Alan Deuel, Rev. Barry Moller and Elder Jeanne Pochel with Rev. Dr. Clark Cowden advising the committee. This committee will report back to the COM.
7. Voted to concur in the request of the Rancho Bernardo Community Presbyterian Church (RBCPC) and the Rev. Joe Farrell, that his relationship with them be dissolved effective February 13, 2009, in order that he might accept the call of the Colorado Springs Presbyterian Church to be an Associate Pastor, contingent on the formal requests from RBCPC and the Presbytery of Pueblo.
8. Voted to postpone a vote on the request of the Rev. Dr. Tony Wolfe and San Diego Westminster Presbyterian Church that Dr. Wolfe be transitioned from Designated Pastor to Pastor until the COM meeting on February 24, 2009. The COM further acted to request that Dr. Wolfe submit an updated *Statement of Faith*. The “Calling” sub-committee of the COM will take the lead on this business.
9. Voted to appoint Elder Jack Shelver and Rev. Will Bynagte to read and approve the Mission Study and Church Information Form for Brawley Presbyterian Church as they begin the process to search for a Designated Pastor. This committee will report back to the COM.

Elder Eloise Housman, 2009 Chair

The Committee on Preparation for Ministry (CPM) took the following actions:

1. On January 13, 2009 the committee VOTED to approve Mr. Jim Marian for Final Assessment and certified him ready to receive a call. Mr. Marian was released to pursue a call.
2. The CPM met on February 10, 2009 and VOTED to approve Rene Roth for Final Assessment and certified her ready to receive a call.
3. The CPM reports the annual consultation with Candidate Aaron Smith is complete.

Pastor John Moser, Chair

Annual Report of the Presbyterian Urban Ministries Bequest

During 2005, the Presbytery of San Diego received a bequest from the estate of F. Helen Pratt-Kurz “exclusively for the use of the crisis center”. As directed by the Presbytery, the Budget, Property, and Finance Committee established a Fund Committee to manage assets of the bequest for the benefit of the Presbyterian Crisis Center. During 2007, Council approved a change in the name from Presbyterian Crisis Center to Presbyterian Urban Ministries (PUM).

As approved by Council, the total amount received of \$402,338 was invested with Smith Barney as investment manager. The value of the Pratt-Kurz bequest on February 29, 2008 was \$ 446,247. Due to the current economic recession and its impact on the stock market, the value of the bequest has decreased to \$ 348,101 as of January 30, 2009.

Designated gifts from churches and individuals, and proceeds from two successful fundraisers during 2008 exceeded budgeted PUM operating receipts. PUM operating expenses were lower than planned and were covered by receipts. Largely as a result of the generosity of churches and individuals, there will be no requirement for a distribution to the PUM from the Pratt-Kurz bequest this year.

In accordance with the Investment Policies and Objectives, no distribution has been made from the bequest for the first three years. The Fund Committee will continue to limit distributions to protect the bequest’s principal. An exception to this policy will be made if Presbytery determines that there is an urgent need to fund PUM operating expenses or pressing emergent capital requirements.

The Pratt-Kurz bequest, gratefully received, can provide substantial income to the PUM in perpetuity if allowed to grow. Continued strong support by churches and individuals is urged so that the vital mission of the PUM can continue.

Pastor John Moser, Chair

The following matters from the Stated Clerk, Presbytery Nominating Committee, Committee on Ministry and Ecclesiastical Committee were voted on consent:

The Stated Clerk recommended the following:

1. That the minutes of the presbytery meeting on November 18, 2008, be approved.
2. That the Presbytery act to instruct the Moderator of Presbytery to appoint a five-person Investigative Committee in consultation with the Executive Presbyter and Stated Clerk.

Background: On or about January 30, 2009, allegations of an offense were received by the Executive Presbyter. Subsequent to that notice the Stated Clerk was also informed. Pursuant to Book of Order D-10.0103 it states "Upon receipt of a written statement of an alleged offense, the clerk of session or the stated clerk of presbytery, without undertaking further inquiry, shall then report to the governing body only that an offense has been alleged without naming the accused or the nature of the alleged offense, and refer the statement immediately to an investigating committee."

Once this committee has been appointed, it will be convened by the Stated Clerk and will begin their work.

3. That Jack Shelver, Chair of the Administrative Commission for Fallbrook, be given voice for the remaining 2009 Presbytery meetings.

Elder Linda Therien

The Nominating Committee of Presbytery recommended the following be elected to serve Presbytery committees:

Elder Lola Buie, Christ United San Diego, Committee on Preparation, Class of 2011
Rev. Ian Farrell, Budget Property & Finance, Class of 2011 (contingent on being voted a member of Presbytery during the Committee on Ministry report)
Elder Delores McNeely, Christ United San Diego, Committee on Ministry, Class of 2010

Pastor Harvey Throop, Chair

The Committee on Ministry recommended the following:

1. That the Presbytery concur in their recommendation that the Designated Pastor relationship of the Rev. Dr. Tony Wolfe and San Diego Westminster Presbyterian Church be extended until the April 18, 2009 stated meeting of Presbytery.

Elder Eloise Housman, Chair

The Ecclesiastical Committee recommended the following:

La Jolla Presbyterian Church

1. That the following revisions to the by-laws for La Jolla Presbyterian Church be approved:

Bylaw Changes for La Jolla Presbyterian Church

The Ecclesiastical Committee recommends approval of the addition of wording to allow electronic voting by the Session of La Jolla church. The process was not followed in that the congregation approved the Bylaws before they were submitted to the Ecclesiastical Committee for approval. It was not clear from the October 28, 2008, minutes that the Session had approved the wording the congregation approved on November 16, 2008. The Ecclesiastical Committee contacted the Pastor, the Rev. Paul Cunningham, who has assured us that the Session did indeed understand and approve the wording which is found below:

Article VI, Section 5,d:

Electronic Voting:

- a. For E-notification, including but not limited to setting or changing meeting dates or approval of committee-requested fund-raising events, the Session may be polled using electronic mail (e-mail), telephone or fax. Approval by electronic voting for routine matters will require approval by the majority of Elders. The Clerk of Session shall maintain a record of such polling and enter the results in the Session minutes.
- b. Urgent action on a non-routine matter:
 1. If a need arises to have Session take urgent action on a non-routine matter, Elders must first be notified via e-mail that an electronic vote is requested. If there are no objections to taking this action outside of a called meeting, a motion, duly made and seconded, may be presented for voting by e-mail.
 2. The Elder requesting the electronic vote will send the motion to the Moderator who will send it to the Clerk requesting the e-mail vote. If the Moderator determines the action is not appropriate to consider outside of a called Session meeting, the motion will be sent back to the requestor to bring forward at the next Session meeting. For motions approved by the Moderator, the Clerk will send the motion to all Session members and will tally the vote responses. All Elders who are entitled to vote must have the opportunity to provide a response and the vote must be unanimous for the action to be considered approved. The actions of the e-mail vote will be reflected in the minutes of a subsequent Session meeting.

The clerk of Session will be instructed to correct the minutes of the meetings mentioned, so that the action recorded is a reflection of the action taken.

First Presbyterian Church of El Cajon

2. That the revised by-laws for First Presbyterian Church of El Cajon be approved, contingent on a vote of the congregation on February 8, 2009. The full text of the by-laws can be found on pages 23-33 of these minutes.

Elder Anne Clark, Chair

Worship

The Presbytery entered a time of worship and celebrated the sacrament of Holy Communion. The outgoing Moderator, Elder Elizabeth Crews, reflected on "Where is Amy". The annual necrology report was given by Rev. Dr. Clark Cowden, remembering Rev. Dr. Jack Peters, date of death October 31, 2006, and Rev. Dr. Rafael Martinez, date of death March 16, 2008. Elder Crews officiated in the installation of Rev. Dr. Chris Lenocker as Moderator 2009, and Elder Gerry Tayler, Vice Moderator 2009.

**The following business was presented to the presbytery
and voted during the meeting**

The Council of Presbytery presented the following:

1. A draft document dealing with the issues of dismissing congregations for review and consideration was presented with a vote on the policy anticipated at the April 18, 2009 meeting of presbytery. (see pages 17-20 of these minutes)
2. A recommendation that the following vote of the presbytery taken on September 16, 2008, be rescinded.

“That ordinarily Honorably Retired (HR) Pastors be voted on consent with a comprehensive written report and Statement of Faith published with the agenda.”

Background: The Book of Order in G-11.0502.h provides for pastors seeking to transfer into a Presbytery be able to do so through the Committee on Ministry. A vote of the entire presbytery is not required but has been the expectation and practice of San Diego Presbytery.

The Committee on Ministry (COM) has attempted to streamline their business and has looked for ways to shorten their formal reports to presbytery. As part of the COM effort in this area, they recommended to the Council that they recommend to Presbytery two different matters. First, the COM recommended that the presbytery extend the practice of Honorably Retired Pastors ordinarily not reading aloud their *Statements of Faith* at Presbytery and this decision has been supported.

The second recommendation that those seeking membership as Honorably Retired be received by the COM and reported to the Presbytery through the consent agenda is the subject of this motion. These reports would include the applicants printed *Statement of Faith*, a brief bio and a disclosure of who met with the pastor for the theological and background conversation that resulted in a recommendation to receive from the COM.

The Presbytery voted in September 2008 that this would be our practice but since that time numerous presbyters have asked that this be revisited. There is significant concern that this matter was voted without satisfactory disclosure and it was never the intent of the COM to deny adequate conversation about this business. The Council acted in November to instruct the Stated Clerk to put this matter on the February 2009 Presbytery agenda under the Council report.

Therefore, the motion before the presbytery is to rescind the previous vote and then discuss the business to the satisfaction of the presbytery. A “yes” vote to rescind will result in a return to the practice of Honorably Retired pastors seeking membership being examined by the full presbytery. A “no” vote to rescind will allow the policy voted on September 16, 2008 to stand.

Discussion ensued, and a vote was taken, and the motion to rescind was defeated 26 to 48.

Elder Elizabeth Crews, 2009 Council Moderator

The Committee on Ministry recommended and the presbytery VOTED the following:

1. That Rev. Ian Farrell, a minister member of Pacific Presbytery, was received into membership of San Diego Presbytery as a Member-at-Large. Presbytery approved the examination.

His *Statement of Faith* can be found on page 21 of these minutes.

2. That Elder Marc Pena, a member of Chula Vista Presbyterian Church, was approved as a Commissioned Lay Pastor (CLP) at Chula Vista Presbyterian Church (CVPC) for a term of three years. Presbytery approved the examination. The COM further recommends that his authority as a CLP be as stated in G-14.0562.a, b, c, d & e.

G-14.0562a – Administer the Lord’s Supper.

G-14.0562b – Administer the Sacrament of Baptism.

G-14.0562c - Moderate the session of the congregation under the supervision of and when invited by the moderator of the session appointed by the presbytery, or when appointed by presbytery as moderator.

G-14.0562d - Perform a service of Christian marriage when invited by the session or other responsible committee, and when allowed by the state.

G-14.0562e - Have a voice and vote in meetings of the presbytery (such vote to be counted as an elder commissioner for purposes of parity).

His *Statement of Faith* can be found on page 22 these minutes.

3. That his ministry to the emerging congregation “Trinity Life Church” was affirmed and validated.

Elder Eloise Housman, Chair

Moderator Chris Lenocker commissioned Marc Pena as a Commissioned Lay Pastor.

The Budget Property & Finance Committee recommended the following:

1. That the 2009 budget shown below, as recommended for approval by the Presbytery Council, be approved by the Presbytery retroactive to January 1, 2009.

Budget Detail

Per Capita Budget		PSD Budget Classes	Shared Mission Budget	
Income	Expenses		Income	Expenses
327,235		Per Capita Income		
		Shared Missions Income	150,000	
		Other Income	10,000	
	196,797	Salaries & Benefits		96,245
	13,040	Executive Presbyter		6,960
	1,860	Stated Clerk		
	47,000	PSD Administration		47,000
	6,300	COM		
	3,600	CPM		
	3,100	Communications		3,100

		Investigative Commission		1,200
		Administrative Commission	5,000	
	1,000	BP&F		1,000
		Human Resources		1,000
		Council		1,000
		Evangelism		1,000
		Mission		2,000
	8,000	Audit		
327,235	285,697	Class Income & Expenses	160,000	160,505

Budget Recommendation

Total Budget Income	487,235
Total Budget Expenses	446,202
Less Loss of Income Reserve	41,033
Increase over 5% Reduction	6,823
5% Reduction Target	34,210
Proposed Operating Budget	446,202

PSD Mission Projects	Income	Expenses	
Iglesia	98,850	98,850	
Presby. Urban Ministry	185,000	185,000	
Mt. Laguna Retreat Center	7,500	7,500	
Sudanese	40,800	40,800	
Total Missions	332,150	332,150	332,150
Total Budget			778,352

Elder Owen Wickstrand, Chair

Presbytery VOTED to approve the 2009 budget.

There was no new or unfinished business. Presbytery adjourned at 8:53 p.m. with prayer by the Moderator.

Elder Carole Ostrander, Minute Clerk for
Elder Linda Therien, Stated Clerk

Draft Policy on Gracious Separation of Congregations
February 17, 2009

Introduction:

We are aware that, within congregations, there may be members and leaders with varying degrees of dissatisfaction, disaffection and discontent. Across our congregations there is a continuum of anxiety and confusion regarding the future of the church (local) and Church (denomination). The result may be different levels of response, support and action from the appropriate body of jurisdiction. The possible levels of discontent can be expressed in the following way:

- I. A congregation and/or its leadership may indicate concern about their relationship with the denomination;
- II. A congregation and/or its leadership may indicate concern about the implications of Chapter VIII of the *Book of Order* regarding the church property;
- III. A congregation and/or its leadership may indicate that it is considering the option of withdrawal from the Presbyterian Church (USA).
- IV. A congregation and/or its leadership has initiated specific, concrete action to withdraw—and/or is engaging in civil action regarding property matters.

In the case of levels I-III the presbytery will normally make use of the existing options of the Committee on Ministry as set forth in G-14.052j. The establishment of Response Teams by the COM will be the normal pattern of response.

1. Individual members of a particular church may at any time move their membership to another Reformed denomination, whether by reason of convenience, conscience, or indifference. (Book of Order G-10.0302b1-4)
2. A congregation may be dismissed only by the governing body of original jurisdiction (presbytery) and in consultation with receiving denomination's highest governing body. (Book of Order G-15.0203a and b; G-11.030i)
3. Congregations wishing to be so dismissed shall follow these steps:
 - a. The session shall meet with the Committee on Ministry. (Book of Order G-11.0500a, i, and j)
 - b. The minister and clerk of session shall request in writing the church's desire to leave the PC (USA) with attendant rationale and the signatures of the supporting session members.
 - c. The Committee on Ministries Response Team shall meet with the session of the discontent congregation.
 - d. The session shall call a congregational meeting, to be held no earlier than one month following its meeting with the Committee on Ministry and in accordance

with Book of Order (G-7.0302b and c; G-7.0303a(1), b). At least 50% of the active membership must be present. Representatives of the Committee on Ministry and Presbytery staff must be present and have the privilege of the floor. The question to be discussed is: "Shall the _____ Presbyterian Church request San Diego Presbytery to dismiss it to _____?" Ample time shall be given to both those who favor and those who oppose such an action to discuss the possible action. No vote of any kind will be taken at this meeting.

- e. The session, no sooner than three months and no later than six months after the first meeting, may call a second congregational meeting. If called, at least 30 days notice shall be mailed to all the active members of the congregation in advance of the meeting and shall include the nature and purpose of that meeting. At least 67% of the members on the active roll must be present. Due diligence will be exercised to ensure that only those eligible to vote are allowed to do so. The question to be put before the congregation is: "Shall the _____ Presbyterian Church request San Diego Presbytery to dismiss it to _____?" Ample time will be provided for those on both sides of the question to speak. Representatives appointed by the Presbytery (Committee on Ministry and staff acting on its behalf) shall have the privilege of the floor. Following discussion and prayer, a secret written ballot shall be taken on the motion. The choices being, "Request Dismissal", "Do Not Request Dismissal", or "Abstain". If three-quarters of the active members present and voting favor dismissal, the request shall go to the Presbytery. If at least one member, present and voting, contests the regularity of the second meeting, he/she may send the details of the allegations to the Stated Clerk of the Presbytery, who shall then convene the Permanent Judicial Committee for the purpose of rendering a decision. (Book of Order D-6.0102a(1)-d) At the meeting of Presbytery, which may be either a stated or called meeting, to consider a request for dismissal, the Presbytery shall:
- hear from members of the congregation requesting dismissal
 - hear from members of the congregation opposing dismissal
 - hear from the PJC if any irregularity has been alleged and if so its findings and recommendations
 - hear from representatives appointed by Presbytery (COM and Response Team) who were present at the second congregational meeting and who may have a recommendation to present to the Presbytery
 - be informed of any financial contributions or obligations related to this congregation through its relationship with any governing body of the PC (USA)
 - hear whether the denomination to which this church wishes to be dismissed is in conformity with the Book of Order for a denomination to which we may dismiss a congregation and whether we have met all of our obligations in such dismissal. (Book of Order G-15.0201, 15.0202a and b)
 - be informed of how this congregation's dismissal would affect the mission and ministry of this Presbytery.

After discussion and prayer, the Presbytery shall vote by secret written ballot on this question, "Shall the _____ Presbyterian Church be dismissed to _____ subject to meeting any financial obligations appropriate to this action?" The votes cast must be "yes", "no", or "abstain".

- f. Following the vote, should the congregation's request for dismissal be sustained, it may then petition the Presbytery to receive its former property. No debate shall take place or action taken on this petition at this presbytery meeting. Debate and action on such a request must be taken at a separate meeting of presbytery which may be either a stated or called meeting.

The Presbytery will hear from a task force appointed by Presbytery's Council, Committee on Ministry, and the Executive Presbyter detailing any financial arrangements negotiated with the congregation, whether or not a viable continuing congregation loyal to the PC (USA) exists which may make use of the property and what provisions have been made for their care if that should not be the case. After discussion and prayer, the Presbytery shall vote by secret written ballot on the following: "Shall the _____ Presbyterian Church, as it is being dismissed to _____ be allowed to retain its former property with the following provisions:

- The following financial arrangements _____.
 - The present name of the church may not be used in the future.
 - Original copies of session minutes and other historical documents related to the church's life as a Presbyterian church (PC (USA) or its predecessors) will be turned over to the Presbytery for transmission to The Presbyterian Historical Foundation.
 - If the congregation separates for any reason from the body or its legal successor to which it is being dismissed within a period of ten years from the date of this Presbytery meeting, _____, the property will revert to this Presbytery or its legal successor. The votes cast shall be "yes", "no", or "abstain".
4. Failure to follow these guidelines may result in the appointment of an Administrative Commission and assumption of original jurisdiction in accordance with Book of Order G-11.0103s.
 5. The intent in any dispute within the life of the church is to achieve reconciliation. To that end, we wish to make clear our intention to continue to seek that goal and to assure any congregation which should separate from us of our continuing prayers for them and a willingness to welcome them back to that part of God's family known as the Presbyterian Church (USA).

The IV level of discontent would demand the forming an Administrative Commission to act on behalf of the presbytery;

1. If civil and/or ecclesiastical (judicial) action is taken by leaders of or by a congregation to withdraw from the denomination and/or to challenge Chapter 8 of the Book of Order G-8.0200), the leaders and/or congregation are choosing to assume an adversarial position in opposition to the presbytery; any prior actions taken by the Presbytery regarding their future in the denomination or dismissal shall become null and void. In such situations, the Moderator of the Presbytery or Stated Clerk has authority to appoint, in consultation with the Executive Presbyter, an Administrative Commission, with any or all of the following additional powers:
 - a. to determine whether a schism exists within the congregation (G-8.0601, G-11.0103);
 - b. to determine which members represent the true church (G-8.0601); the Administrative Commission is authorized to utilize whatever legal and constitutional means are necessary to make this determination.

- c. to make recommendations to the presbytery to dissolve pastoral relationships; or “...when it finds that the church’s mission under the Word imperatively demands it.” G-11.01030, the Administrative Commission may dissolve pastoral relationships, G-9.0503a(4); consistent with the provisions of the Constitution regarding such action (including but not limited to G-6.0501, G-6.0502 and G-6.0503 – “Renunciation of Jurisdiction”) and subject to review by the presbytery.
- d. to take all legal action necessary to freeze the assets of the church (real and liquid);
- e. to take all legal action necessary to freeze the membership rolls of the church effective as of the date of the formation of the Administrative Commission;
- f. to take all legal action necessary to secure the building, grounds and other property of the church for the use and benefit of the Presbyterian Church (U.S.A.);
- g. to determine if and when a meeting of the congregation is appropriate for the purpose of voting to withdraw from the Presbyterian Church (U.S.A.);
- h. to call congregational meetings, and provide the moderator and clerk for that meeting and to determine who is an Active member entitled to vote;
- i. to report the results of all congregational votes to the presbytery and the presbytery Council;
- j. to authorize oversight of the church, its ministry and its property to a viable faction of the congregation that has been identified as the true church within the Presbyterian Church (U.S.A.) according to the provisions of G-8.0601;
- k. to take all legal action necessary to secure the mailing lists of the church in order to be able to communicate directly with all members and contributors;
- l. to propose (in the event there is no viable faction of the congregation that has been identified as the “true church” within the Presbyterian Church (U.S.A.)) to the presbytery the recommendation for the disposition of the property held by or for the church, and the assumption of the liabilities of the church; *{this may include, if consistent with Form of Government, a recommendation to dismiss to another Reformed body, with or without compensation to the presbytery}*
- m. to secure professional counsel as needed, including entering into any necessary contracts for services;
- n. to engage denominational officials in obtaining assistance in protecting the legal rights of the presbytery;
- o. to secure whatever civil interventions may be necessary to protect the interests of the presbytery;
- p. to assume original jurisdiction if facts in evidence so warrant such action;
- q. to dissolve the congregation if facts in evidence so warrant such action;
- r. to take all legal and ecclesiastical actions necessary to protect the interests of the presbytery.

Personal Statement of Faith – Ian Farrell

Christus Victor!

Jesus Christ, The Crucified & The Risen, was, is, and will be Victorious.

Christ is Victorious. By the wisdom, love, and decree of the Holy Trinity, Jesus Christ, Son and Logos of the Father, was sent forth to proclaim, enact, and seal, the divine covenant of love with all creation.

Christ is Victorious. The Father who created all and who loves all, will receive all things in the recapitulation of all things by the redemption wrought by Christ in his Incarnation, Passion, Death, Resurrection, and Ascension.

Christ is Victorious. He has defeated Sin, Death, the Devil, and Despair. He has conquered all things evil, and these he will ultimately destroy. In this victory, he has reclaimed all creation, especially humanity, bringing release to those in spiritual bondage and travail, and providing hope in this life, and heavenly paradise in the life to come.

Christ is Victorious. He has won freedom for humankind. In this freedom faith and grace, not piety and merit, become the means for Life Eternal and citizenship in his Kingdom.

Christ is Victorious. He has won the privilege that any who call upon God in his Name, in prayer and petition, will have their hearing.

Christ is Victorious. He has deposited the Holy Spirit to indwell those who have faith in his victory, and to infuse his Church with power to remain faithful to him and to accomplish the good works for which he has created it.

Christ is Victorious. He has established his Church. This is His Body, made to do his will and his work on the Earth. From the Calling of Abraham, the Proclamation of the Kingdom, his Ascension, and Pentecost, through the End of the Ages, Christ has called out his Church to be a people set apart for himself and yet with the mandate to call out others.

Christ is Victorious. He has provided for his Church, through the Spirit, a record in the Scriptures of the Father's revelation and of his own work in the redemption of creation. This has been provided to aid in the Church's guidance and governance, to form its proclamation, and to reveal himself to generation after generation.

Christ is Victorious. Through the mystery of Baptism He continues to initiate his covenant with individuals and to communicate his grace to and by his Church.

Christ is Victorious. Through his mysterious presence in the Celebration of Holy Communion he assures all his Church of his continuing love, and reminds the Church of his great sacrifice on its behalf.

Christ is Victorious. He will bring the End of the Ages. All things will come under his judgment, and he will bring all things in order, and perfection, thoroughly restored, under the rule of his Father.

STATEMENT OF FAITH

Marc Anthony Peña

I believe and trust in one God who glories to reveal Himself as a perichoresis of three Persons: God the Father, Creator of heaven and earth; God the Son, the only Savior and Redeemer of humanity and God the Spirit, the comforting, empowering and ever-abiding presence of God Himself. Although there is no theology that can fully contain all the majesty and splendor of who God is, I relish the Reformed tradition which strives to keep this mysterious God at the center of its thought and life.

God, who sovereignly rules and reigns over all that is, was pleased to create humanity in His image. Male and female He created them to reflect His glory, care for His creation and joyfully live in covenant relationship.

Through the disobedience of our first parents, sin and death entered the world. Sin has corrupted and crippled our ability to glorify God, our capacity to comprehend His goodness and our desire to delight in Him as all-sufficient.

But God, who is rich in mercy and not willing to let sin have the final word over humanity, sent forth His Son Jesus Christ through the mystery of the Incarnation to redeem a people for His own. The sacrifice of Christ on the cross has paid for the penalty of sin and the resurrection of Christ from the dead has broken the power of sin for anyone who has placed their hope, faith and trust in Jesus.

I believe and trust in the authority of Scripture, God's written Word, which is the infallible witness to Jesus Christ and the standard of our faith and life. I believe that the church's confessional statements are faithful expositions of Scripture that are useful in guiding and edifying the church in its worship and mission.

I believe that the Church, known in the Scriptures as the Body of Christ, is the worshipping community of God's redeemed people brought together by the Holy Spirit to share in God's love and grace through Jesus Christ. It is through the sacrament of baptism that God welcomes us into this redeemed community and it is through the sacrament of the Lord's Supper that we continue to experience, partake and give thanks for the provision of God's grace and love in Jesus Christ.

Jesus said, "I will build My Church and the gates of hell shall not prevail against it." I believe that today Christ continues to build His Church as the Church victorious, gathering His redeemed from every tribe, tongue, people and nation. This great gathering will reach full consummation with the return of Christ to earth and the establishment of God's kingdom forevermore.

Soli Deo Gloria!

**Bylaws of First Presbyterian Church
2008 Amendments**

For each proposed revision, the current bylaw is printed first, in normal font. The proposed changes are printed second, with deletions in ~~strikeout~~ and additions underlined. The resulting revision is printed third, in **bold**. In cases where entirely new text is proposed, the text appears by itself in **bold**.

These Bylaws were approved by the Session at the Regular Stated Meeting on September 23, 2008. The Ecclesiastical Committee of the Presbytery received the changes to the Bylaws on October 23, 2008 and they were approved. The next step in the process is for the congregation to approve them at the Annual Meeting on February 8, 2009. They will then be presented to the Presbytery for approval at their Regular Meeting on February 17, 2009.

Anne Clark, Clerk of Session

DRAFT
August 26, 2008

**BYLAWS
OF
FIRST PRESBYTERIAN CHURCH OF EL CAJON**

PREAMBLE

In order to define the rights and responsibilities of its members, boards, officers and ministers, and, to provide for the orderly conduct and efficient management of the congregational and corporate affairs of this church the congregation adopts these bylaws on:

This _____ day of _____ 2009

ARTICLE I – GENERAL

Section 1. NAME

a. Both as “congregation” and “corporation”, the name of this church shall be First Presbyterian Church of El Cajon.

b. This church was organized on May 8, 1883 in the City of El Cajon, in the County of San Diego, in the State of California, and incorporated by the State of California on November 17, 1886 as a non-profit religious corporation.

Section 2. RELATIONSHIPS

a. This church is a particular congregation of the Presbyterian Church (U.S.A.) and recognizes the Constitution of the Presbyterian Church (U.S.A.) is, in all its provisions, obligatory upon it and all its members, and is subject to the guidance and direction of the General Assembly, the Synod of Southern California and the Presbytery of San Diego.

b. These bylaws shall be in conformity with the Constitution of the Presbyterian Church (U.S.A.), as interpreted by the judicatories of jurisdiction, and the corporate laws of the State of California, and shall set forth the ecclesiastical and corporate structure and method of operation of this particular church.

- c. All of the administrative responsibility of this Church, both spiritual and corporate, shall be one in body, the Session. (Book of Order G-.0401). Since the State of California does not forbid incorporation of religious bodies, the Elders serving on the Session shall hold those powers exercised by trustees under civil law. The Session shall elect the following corporate officers annually: The Chair of Administration as President, the Chair of Building and Grounds as Vice President, the Office Manager/Administrator as Secretary and the Church Treasurer as Treasurer.

The Session shall elect the following corporate officers annually:
President, Vice President, Secretary, and Treasurer.
~~the Chair of Administration as President, the Chair of Buildings and Grounds as Vice President, the Office Manager/Administrator as Secretary and the Church Treasurer as Treasurer.~~
Ordinarily, the Clerk of Session shall be elected Secretary and the the Church Treasurer shall be elected Treasurer. The Administration Committee shall act as a nominating committee and present one nominee for President and one nominee for Vice President to the Session for election. Ordinarily the President and Vice President will be members of Session

The Session shall elect the following corporate officers annually:
President, Vice President, Secretary, and Treasurer. Ordinarily, the Clerk of Session shall be elected the Secretary and the Church Treasurer shall be elected Treasurer. The Administration Committee shall act as a nominating committee and present one nominee for President and one nominee for Vice President to the Session for election. Ordinarily the President and Vice President will be members of Session.

- d. The Fiscal Year of the Church shall be the calendar year.

Section 3. PRINCIPAL OFFICE

- a. The Principal office for the transaction of the business of this church, including its corporate affairs shall be at 500 Farragut Circle, in the City of El Cajon, in the County of San Diego, in the State of California.

Section 4. ELECTED OFFICES

- a. There shall be two elected offices of this church: the Session and the Board of Deacons.
b. The Nominating Committee is elected by the congregation.
c. Special or ad-hoc committees are elected by the Session as appropriate.

ARTICLE II OBJECTIVES AND NONPARTISAN ACTIVITIES

Section 1. OBJECTIVES

- a. To bear witness to the Christian truths; to promulgate the doctrines and teachings of the Christian religion and to promote fellowship among God's people.

- b. To receive, hold and disburse gifts, bequests, devises, and other funds for these purposes.
- c. To own and maintain or to lease available real, estate and buildings, and any personal property which is deemed necessary for its purposes; to enter into, make and perform, and carry out contracts of every kind for any lawful purpose, without limit to amount.

Section 2. NONPARTISAN ACTIVITIES

- a. This corporation has been formed under the California Nonprofit Religious Corporation Law for the religious purposes described above, and it shall be nonprofit and nonpartisan. This corporation shall function in accordance with the provisions of the Internal Revenue Code, Section 501 (a) (3) as follows: “No part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate in, or intervene in, (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office.”
- b. The corporation shall not; except in insubstantial degree, engage in any activities or exercises any powers that are not in furtherance of the purposes described above.

**ARTICLE III
CONGREGATIONAL MEMBERSHIP**

Section 1. GENERAL

- a. Qualifications for admission to and basis for termination or suspension from membership in this church shall be in accordance with the Constitution of the Presbyterian Church (U.S.A.)

Section 2. TYPES OF MEMBERS

- a. There shall be three types of communicant members: Active, Inactive and Affiliate. The Session shall determine the particular class for each congregational member as set forth in the Constitution of the Presbyterian Church (U.S.A.).
- b. No member shall hold more than one membership.

**ARTICLE IV
MEETINGS OF CONGREGATIONAL MEMBERS**

Section 1. GENERAL

- a. All congregational meetings may deal with both “ecclesiastical” and corporate affairs. Meetings shall be conducted in accordance with Book of Order G-7.0304.
- b. The Moderator of the Session shall preside at “congregational” meetings. If unable to act, or if the subject to be discussed requires it, the Session may invite another Teaching Elder of the Presbytery to preside.
- c. The Clerk of Session shall act as Clerk and Recorder.
- d. The Minutes of the Congregation and/or Corporation meetings, when attested to by the Moderator and Clerk of Session, shall be referred to

- the Session for approval at its next scheduled meeting, and, when approved shall be incorporated in the Session Minute Book.
- e. All congregational meetings shall be opened and closed with prayer.

Section 2. ELIGIBLE TO VOTE

- a. All church members who are on the “Active Member” roll shall be eligible to vote on all matters that come before the congregation and/or corporation.

Section 3. ANNUAL MEETING

- a. The Annual Meeting of the Congregation and Corporation shall be held in ~~January~~ **February** on a date and at a time and place specified by the Session for the purpose of receiving annual reports of the affairs of the congregation and corporation, and for presentation of the Session approved budget for the calendar year; and to approve any change in the call of the Pastor, and to transact any and all business that may properly come before it as approved by the Session.

Section 4. SPECIAL MEETINGS

- a. A Special Meeting of the Congregation and Corporation shall be held in ~~November~~ **May** on a date and at a time and place specified by the Session for the purpose of electing elders, deacons, **at-large nominating committee members**, and to transact any other business properly stated in the Notice of the Call of Meeting as approved by the Session.
- b. Special Meeting of the Congregation and Corporation may be called by:
 - (1) The Session
 - (2) The Session, at the request of the Presbytery
 - (3) The Session, in response to a written request of one-fourth of the Active Roll membership, addressed to the Session, and signed by those members, specifically stating the reason for such a meeting. Upon receipt of a written request the Session shall set the date, time and place for the Special Meeting which shall be held not less than forty-five days from receipt of the request.
- c. Other Special Meetings of the Congregation and Corporation may be called, on a date and at a time and place specified by the Session for the purpose of conducting only that business properly stated in the Notice of Call of Meeting.
- d. Notice of Call for Special Meetings shall state clearly the purpose of the meeting and no other business save that specified in the Notice may be considered.

Section 5. NOTICE OF MEETINGS

- a. A notice of the date, time and place of every Annual and Special meeting of the Congregation and Corporation shall be given by announcement from the pulpit for two successive Sundays. (Book of Order G-7.0303)

Section 6. QUORUM

- a. A quorum for the transaction of business at all Congregation and Corporation meetings shall consist of one tenth present in person of

- those members on the “Active Roll”. (Book of Order G-7.0305)
- b. In the absence of a quorum, any meeting of the Congregation and Corporation may be adjourned from time to time by the majority vote of the voting members present, but no other business shall be transacted.
 - c. The members present at an Annual or Special Meeting at which a quorum is present may continue to do business until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum, subject to a challenge by any member for a quorum call.

ARTICLE V
NOMINATION, ELECTION, ORDINATION AND INSTALLATION OF
CHURCH OFFICERS

Section 1. CONGREGATIONAL NOMINATING COMMITTEE

- a. A Congregational Nominating Committee that will be composed of ~~8~~ **7** active members shall be chosen annually.
- b. Two members shall be designated by and from the Session, one of whom shall be named by the Session as Moderator, and one named by and from the Board of Deacons, four Active members shall be elected by the congregation, none of whom shall be in active service on the Session or Board of Deacons. The Pastor shall be a member of the Congregational Nominating Committee, but without vote.
- c. This committee shall include both men and women giving fair representation to all age groups and all racial members. (Book of Order G-14.0202b)
- d. The Congregational Nominating Committee having been elected, shall be constituted at its organizational meeting following election. No member of the Congregational Nominating Committee shall serve more than three years consecutively. (Book of Order G-14.0224)

Section 2. NOMINATIONS

- a. The Congregational Nominating Committee shall present for consideration by the congregation one qualified and eligible member only for each office to be filled, including the members of the congregation to serve on the succeeding Congregational Nominating Committee, giving attention a fair representation of age, ethnicity, and both male and female constituency of the congregation.
- b. Each nominee presented shall have previously consented to serve, if elected by the congregation.
- c. Public notice of names of nominees shall be posted for the congregation at least one week prior to the meeting the election will be held.
- d. Subsequent to the report by the Congregational Nominating Committee, nomination of qualified and eligible members may be made from the floor by any active member, provided such nominee shall have previously consented to serve, if elected.
- e. All nominations shall be made subject to the principles of inclusiveness and participation for which all governing bodies of the Church are responsible. (Book of Order G-9.0104)

Section 3. ELECTIONS

- a. Elders, Deacons and Congregational Nominating Committee members shall be elected at the Annual meeting or other Special meeting called for that purpose.
- b. Elections may be by acclamation if there be but one nominee for each office to be filled. If there be more nominees than vacant offices, election shall be by written ballot. The nominees receiving the highest number of votes up to the number of vacancies to be filled shall be elected, provided that a majority vote of all eligible voters present and voting shall be required to elect in every case.
- c. If any person elected to a church office declines to act, resigns with consent of the Session, dies, or ceased to be an Active member of this church, the office shall be declared vacant and the vacancy shall be filled at the next Annual or Special meeting of the Congregation.
- d. Each elected church officer who declines to act and shall be absent, with or without excuse from three consecutive meetings of the office, or be absent with or without excuse from six meetings in one calendar year may be removed from office upon action of and due notification by the Session. The vacancy shall be filled at the next Annual or Special meeting of the Congregation.

Section 4. TERMS OF OFFICE

- a. There shall be three classes of equal numbers for Elders and Deacons, one class only of which shall expire each year.
- b. A full term of office shall be three years.
- c. No Elder or Deacon shall serve in their respective office for consecutive terms, either full or partial, aggregating more than six years.
- d. Any Elder or Deacon having served a maximum of six years shall be ineligible to serve for a further term in the same office until at least one year has elapsed.
- e. The term of office of Elder, Deacon and Congregational Nominating Committee member shall run from July 1st to June 30th.**

Section 5. ORDINATION AND INSTALLATION

- a. Elders and Deacons having been duly elected at the Special Meeting of the Congregation shall be examined in accordance with the Book of Order (G-14.0240) ordained, if required, and installed to take office immediately following the term of the officer whose term has expired.
- b. The Session shall provide for the ordination and installation of Elders and Deacons at a Worship service not later than the twelfth Sunday following election.
- c. The Session shall provide for the ordination and installation of Elders and Deacons at a Worship service ~~not later than the twelfth Sunday following election.~~ **on the second Sunday of July.**
- d. The Session shall provide for the ordination and installation of Elders and Deacons at a Worship service **on the second Sunday of July.**

ARTICLE VI THE SESSION

Section 1. MEMBERS

- a. The Session of this church shall consist of ~~eighteen~~ **fifteen** elected, ordained and installed Elders and the Senior Pastor. (Book of Order G-10.0101)

Section 2. RESPONSIBILITIES

- a. The Session is responsible for the mission and government of the particular church including both corporate and ecclesiastical matters. It therefore has responsibilities and power to direct all affairs of the Congregation, including the following: to receive and dismiss members; to lead in mission, to provide for worship; to develop and supervise the Christian Education program; to challenge the people with Christian Stewardship; **to lead the people in outreach**; to establish the annual budget; to instruct, examine ordain and install elders and deacons; to delegate and supervise the work of the Board of Deacons.

Section 3. REGULAR MEETINGS

- a. The Session shall hold regular meetings monthly except as is cancelled by its previous action. The date, time and place of all meetings is prescribed by the Session.

Section 4. JOINT MEETING

- a. A joint meeting of the Session and the Board of Deacons shall be held at least annually to confer on matters of common interest, with the Moderator of Session presiding. No binding decision may be reached in such a joint meeting, but the Session and the Board of Deacons may act separately on matters committed to their care.

Section 5. SPECIAL MEETINGS

- a. Special meeting of the Session may be called by:
 - (1) The Pastor
 - (2) The Pastor when requested to do so by any two Session members.
 - (3) The Presbytery when directed to do so.
- b. Notice of Special meetings shall be by a minimum of twenty-four hours notice delivered personally, by telephone, **by fax or e-mail** prior to such meeting.
- c. Notice of Special meeting need not specify the purpose of the meeting.

Section 6. QUORUM

- a. A quorum shall consist of the Moderator, or other presiding officer, and one-third of the Elders.
- b. In the absence of a quorum, any meeting of the Session may be adjourned from time to time by the vote of the majority of the voting members present, but no other business shall be transacted.
- c. The members present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment notwithstanding the withdrawal of enough members to leave less than a quorum, subject to a challenge by any member for a quorum call.

Section 7 OFFICERS

- a. Moderator. The Moderator of the Session shall be the Senior Pastor.
 - (1) When for prudential reasons it may appear advisable that some other minister should preside, the Pastor shall, with the concurrence of the Session, invite another minister of the Presbytery to preside.
 - (2) When this church is without a Pastor, the Moderator of the Session shall be a minister appointed for that purpose by the Presbytery.
 - (3) The Moderator shall open and close all meetings of the Session with prayer.
- b. Clerk of Session. The Session at its organizational meeting each year shall elect an Elder as Clerk of Session from within or without its own membership. (Note: the Session may want to have a recording secretary in addition to the Clerk of Session.)
- c. Clerk of Session. The Session at its organizational meeting each year shall elect an Elder as Clerk of Session from within or without its own membership. (~~Note: the Session may want~~ **appoint** ~~to have~~ a recording secretary in addition to the Clerk of Session.)
- d. Clerk of Session. The Session at its organizational meeting each year shall elect an Elder as Clerk of Session from within or without its own membership. Session may **appoint** a recording secretary in addition to the Clerk of Session.

Section 8. POWER AND DUTIES

- a. Service as Presbyters. It is a responsibility of the Session to maintain regular and continuing relationship to the higher governing bodies of the Church. This includes the election of representatives to Presbytery, and hearing their reports. Elders are expected to act as Presbyters when so elected, and to make appropriate reports of their attendance at meetings. (Book of Order G-10.0102p1)
- b. Staff. The Session shall provide for the administration of the program of the Church, including the employment of non-ordained staff, with concern for equal employment opportunity and the annual review of the adequacy of compensation for all staff. (Book of Order G-10.0102n)
- c. Committees. The Session shall form annual standing committees to implement the mission of the church. These committees shall meet regularly and shall report directly to the Session. The Standing Rules will list the committees and their responsibilities.
- d. Church Treasurer. The Administration Committee shall nominate and the Session elect a church treasurer. The church treasurer shall be elected annually without limit for number of consecutive terms.**
- e. Attendance. Elders will be expected to attend all stated Session meetings. Three unexcused absences from stated meetings will result in the Moderator of Session asking for that person's resignation.

Section 9. VOTING

- a. The regular methods of voting on motions shall be by voice (the normal method), by show of hands (or standing) or by paper ballot; all in accordance with Robert's Rules of Order (§45).
- b. Electronic Voting
 - (1) For routine matters including but not limited to setting or changing meeting dates or approval of Commission-requested fund-raising events, the Session may be polled using electronic mail (e-mail), telephone or fax. Approval by electronic voting for routine matters will require approval by the majority of Elders. The Clerk of Session shall maintain a record of such polling and enter the results in the Session minutes.
 - (2) Urgent action on a non-routine matter. If a need arises to have Session take urgent action on a non-routine matter:
 - i. Elders must first be notified via e-mail that an electronic vote is requested. If there are no objections to taking this action outside of a called meeting, a motion, duly made and seconded, may be presented for voting by e-mail.
 - ii. The Elder requesting the electronic vote will send the motion to the Pastor who will send it to the Clerk requesting the e-mail vote.

If the Pastor determines the action is not appropriate to consider outside of a called Session meeting, the motion will be sent back to the requester to bring forward at the next Session meeting.

For motions approved by the Pastor, the Clerk will send the motion to all Session members and will tally the vote responses. All Elders who are entitled to vote must have the opportunity to provide a response and the vote must be unanimous for the action to be considered approved. The actions of the e-mail vote will be reflected in the minutes of a subsequent Session meeting.

ARTICLE VII THE BOARD OF DEACONS

Section 1. MEMBERS

- a. The Board of Deacons of this church shall consist of ~~fifteen~~ **twenty- one** elected, ordained and installed Deacons.
- b. The Pastor and installed Associate Pastor(s) shall be advisory members of the Board of Deacons.

Section 2. NUMBER AND TENURE

- a. The Board of Deacons shall be made up of no less than ~~15~~ **21** members, the classes of ~~five~~ **seven** members each. The term of each class shall be three years except when it is necessary to fill vacancies. No Deacon shall be elected for a term of more than three years, nor shall a Deacon serve for consecutive terms either full or partial aggregating more than six years.
- b. A Deacon having served a total of six years shall be ineligible for reelection for a period of at least one year. The term of office for Deacons shall expire when their successors have been installed.

Section 3. REGULAR MEETINGS

- a. The Board of Deacons shall hold regular monthly meetings, except as is cancelled by its previous action. The date, time and place of all meetings shall be as prescribed by the Board of Deacons.

Section 4. JOINT MEETING

- a. A joint meeting of the Session and the Board of Deacons shall be held as prescribed in Article VI, Section 4.

Section 5. SPECIAL MEETINGS

- a. Special meetings of the Board of Deacons may be called by:
 - (1) The Pastor.
 - (2) The Session.
 - (3) The Moderator of the Board of Deacons.
 - (4) The Moderator of the Board of Deacons, when requested to do so by any two Deacons in active service.
- b. Notice for Special meetings shall be made in a manner as prescribed by the Board of Deacons.

Section 6. QUORUM

- a. A quorum shall consist of the Moderator, or other presiding officer, and one third of the Deacons present in person.
- b. In the absence of a quorum, any meeting of the Board of Deacons may be adjourned from time to time by the vote of the majority of the voting members present, but no other business shall be transacted.

Section 7. OFFICERS

- a. Moderator. The Moderator of the Board of Deacons shall be elected by and from within the membership of the Board of Deacons.
- b. Secretary. The Secretary of the Board of Deacons shall be elected by and from within the membership of the Board of Deacons.
 - (1) The Secretary shall keep a record of the Board's proceedings and submit such records to the Session for review when requested to do so by the Clerk of Session.
- c. Treasurer. The Treasurer of the Board of Deacons shall be elected by and from with the membership of the Board of Deacons.
 - (1) The Treasurer shall keep records of account and shall report to the Board of Deacons periodically all financial transactions.

Section 8. RESPONSIBILITIES

- a. As the whole church is under the jurisdiction of the Session, the Board of Deacons shall also be under its supervision and authority. The Session may void or amend any action of the Board of Deacons, or direct the Board of Deacons to reconsider such actions.
- b. It is the responsibility of the Board of Deacons to minister to those who are in need, to the sick, to the friendless and to any who may be in distress. They shall assume such other duties as may be delegated to them from time to time by the Session. (Book of Order G-6.0402)
- c. The Board of Deacons shall cause to be prepared "STANDING RULES" for the guidance of the Board of Deacons for inclusion in the Session "STANDING RULES".

**ARTICLE VIII
INDEMNIFICATION**

Section 1. GENERAL

- a. Members of the Session, members of the Board of Deacons, elected officers, employees, and other agents are indemnified to the extent allowed by the non-profit religious corporation law of the State of California then in effect.

**ARTICLE IX
AMENDMENTS**

Section 1. GENERAL

- a. These bylaws may be amended and/or revised subject to the Articles Incorporation, the laws of the State of California, and the Constitution of the Presbyterian Church (U.S.A.) at any Annual or Special meeting of the Congregation provided that a full reading of the proposed changes or a printed distribution of the same shall have been made in connection with the Notice of Call of the meeting.

Section 2. APPROVAL

- a. Amendments and/or revisions to these bylaws shall require a two-thirds vote of a quorum of eligible Congregation members present and voting for approval.

CERTIFICATION OF THE CLERK

I, the undersigned, certify that I am the presently elected and acting Clerk of the Session of this church, a California non-profit religious corporation, and the above bylaws, consisting of ~~ten~~ **nine** articles on ~~twelve~~ **eleven** typed pages, are the bylaws of this Congregation as adopted at a meeting of the Congregation held on:

The _____ day of _____, 2009

Clerk of Session