



## STATED MEETING

of the Presbytery of San Diego  
April 20, 2010 – 5:00 PM

*Pre-Presbytery meeting for Pastors at 2:30 PM*  
*“THE PREACHER’S DILEMMA”*

Led by the Rev. Dr. John Stevens, Retired Pastor  
First Presbyterian Church of Colorado Springs

**Pacific Beach Presbyterian Church**  
**1675 Garnet Avenue - San Diego**

### **PRESBYTERY OFFICERS**

Gerry Taylor - Moderator 2010  
Paul Cunningham - Vice-Moderator 2010/Moderator Elect 2011  
Linda Therien - Stated Clerk  
Carole Ostrander – Minute Clerk

### **PRESBYTERY EXECUTIVE STAFF**

Clark Cowden - Executive Presbyter

### **DIRECTIONS**

Going south on I-5, take Mission Bay Drive (Beaches) exit to Garnet St/Balboa.  
Turn right (west) on Garnet. The church is on the corner of Garnet and Jewell.

Going north on I-5, take Grand Ave/Garnet exit & turn left (west) at the 1<sup>st</sup> light to get on Grand Ave.  
Turn right (north) on Jewell, go one block and turn left (west) on Hornblend; parking lot is on the right.

**Please note:** Parking is available in the church parking lot in the rear of the building (enter from Hornblend); on the streets surrounding the church and in the shopping center parking lot directly across the street from the sanctuary.

1. Please bring docket materials.
2. Commissioners requiring an excuse from the meeting should apply to the Stated Clerk.
3. Any committee chair desiring to meet with her/his committee must make arrangements with the host facility.
4. Forms for intercessory prayer are to be found on the registration table. If you wish Presbytery to remember someone in prayer, fill out the form and put on the clerk's desk by 6:00 p.m.
5. **Dinner reservations are \$10.00 and are required.** The deadline for reservations is Wednesday, April 14, 2010. There is a link from the Presbytery web site to make your reservation @ [sdjanekay@aol.com](mailto:sdjanekay@aol.com) or by calling 858-277-6411.

### **Upcoming Stated Presbytery Meetings**

**June 19, 2010 – Faith Presbyterian – Saturday @ 9 am**  
**September 21, 2010 – San Diego First @ 5 pm**  
**November 16, 2010 – Rancho Bernardo @ 5 pm**

**PROPOSED DOCKET**  
**STATED MEETING OF THE PRESBYTERY OF SAN DIEGO**  
April 20, 2010 – Pacific Beach Presbyterian Church

4:30 p.m.      Registration

**ASSEMBLE IN GOD’S NAME**

*We used to be primarily a governing body*  
*We are now primarily a relational community*  
*We hope to become primarily a mission agency*

5:00 p.m.      **Call to Order & Prayer – Lighting of the Christ Candle** - Elder Gerry Tayler, Moderator  
**Welcome by Host Pastor** – Pastor Alan Deuel  
**Report of the Stated Clerk** – Elder Linda Therien  
**Enrollment of Commissioners; Recognition of corresponding members**  
**Declaration of a Quorum; Approval of docket**  
**Consent Docket/Reading**  
*Only a simple request is needed to remove any item from the Consent Docket. All items removed from the Consent Docket will be considered under the report of the committee from which the item has been removed.*

**PROCLAIM GOD’S WORD**

5:15 p.m.      **Presbytery at Worship** – Rev. Dr. John Stevens, preaching

6:15 p.m.      **Recess for dinner**

**ENGAGE IN GOD’S WORK**

7:00 p.m.      **Reconvene with prayers of the community**

7:10 p.m.      **Ecclesiastical Committee** – Pastor Jerry Andrews  
- An Overture to the General Assembly

7:20 p.m.      **Administrative Commission for La Mesa Presbyterian Church** - Pastor Steve Locke

7:30 p.m.      **Committee on Preparation for Ministry** – Pastor Margaret Walls  
- Request to advance Inquirer Daniel So to Candidate  
- Request to advance an Inquirer to Candidate  
- Request to advance an Inquirer to Candidate

8:15 p.m.      **Executive Presbyter’s Report** – Pastor Clark Cowden

8:25 p.m.      **Missions Committee Report** – Pastor Jake Medcalf  
- Report from the Presbyterian Urban Ministries

8:30 p.m.      **Unfinished business, announcements and pre-adjournment business**

8:35 p.m.      **Adjourn with prayer & extinguishing of the “*Light of Christ*” Candle**

**GO IN GOD’S NAME**

### **Report of the Stated Clerk**

1. The Stated Clerk reports that the offering received at the February 2010 meeting of Presbytery was \$718.65.
2. The Stated Clerk reports that the Administrative Commission to ordain and install Juan-Daniel Espitia as the Associate Pastor for Hispanic Ministries at Solana Beach Presbyterian Church has completed their work and is dismissed with appreciation and thanks.
3. The Stated Clerk reports the resignation of Pastor Tom Simpson from the Administrative Commission for Southeast Presbyterian Church.
4. The Stated Clerk reports that the Administrative Commission to install Rev. Brad Roth as Designated Pastor for Mira Mesa Presbyterian Church has completed their work and is dismissed with appreciation and thanks.
5. The Stated Clerk reports that the Rev. Aart van Beek, a minister member in good standing of Sacramento Presbytery, has been granted permission to conduct a wedding on March 20, 2010, within the bounds of the Presbytery of San Diego.
6. The Stated Clerk reports the death of Elder Lucky Phelps at the age of 83 in San Anselmo, California. Ms. Phelps was the Stated Clerk of the Presbytery of San Diego from 1988 – 1989. A memorial service is scheduled for April 17, 2010 in Montgomery Chapel on the campus of San Francisco Theological Seminary.
7. The Stated Clerk reports 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*.

Elder Linda Therien

### **Actions of Council being reported to Presbytery**

The Presbytery Council met on March 2, 2010 and conducted the following business:

1. Voted to affirm the following locations for the final three presbytery meetings in 2010:

Faith – Saturday – June 19, 2010  
San Diego First – September 21, 2010  
Rancho Bernardo – November 16, 2010

2. Voted to receive and approve the Presbyterian Urban Ministry (PUM) Bequest annual report as follows:

#### **Presbyterian Urban Ministries Bequest Annual Report February 24, 2010**

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 January 31, 2009 was \$ 346,802. The value of the bequest has increased to \$ 425,606 as of January 31, 2010.

Designated gifts from some churches during 2009 were less than expected. Generous gifts from individuals, church groups, and proceeds from two successful fundraisers during 2009 did not make up the financial shortfall. As a consequence, it was necessary to use some funds held in a PUM reserve to meet financial obligations. PUM anticipates the possibility of a similar shortfall in gifts from some churches during 2010. Further, it is known that financial requirements for salaries will increase during 2010. Three PUM staff members' work weeks have been extended from 36 to 40 hours in order to meet requirements resulting from the doubling of clients served during 2009 compared to 2008. Accordingly, the BP&F Fund Committee recommends that a distribution of \$15,000 be made from the Pratt Kurz bequest for use in support of PUM operations. This amount is within guidelines for spending established by Pratt Kurz Bequest Investment Policies and Objectives.

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.

Respectfully submitted,

James Beatty, Fund Committee

3. Voted to receive and approve the PUM Resolution regarding the Pratt-Kurz endowment as follows:

WHEREAS, the initial monies received from the Pratt-Kurz trust were designated by the donor for the exclusive use of the Crisis Center, presently known as Presbyterian Urban Ministry (PUM), and the restricted use of the funds by the donor causes these monies to be classified as a Temporarily Restricted Net Asset until such time it is deemed necessary to use the funds for its restricted purpose; and

WHEREAS, the Presbytery Council Board Members approved to invest the funds received, and any earnings received from the investment are for the use of PUM – as designated by the Board, the Board designated restrictions are classified as Unrestricted Net Assets; and,

WHEREAS, Krista Gilb, CPA, of the firm of Leaf & Cole, LLP, auditors for the Presbytery of San Diego, has confirmed in an e-mail communication dated February 17, 2010 that annually, the Temporarily Restricted Net Asset of the Pratt-Kurz donation is appropriately adjusted to fair market value, not to exceed the initial donation of \$402,338.29; and,

WHEREAS, in conjunction with the audit of the financial statements of the Presbytery of San Diego as of December 31, 2008, the Temporarily Restricted Net Asset of the Pratt-Kurz donation was reduced to reflect the fair market value of the Board Designated investment account; now therefore,

BE IT RESOLVED, that as of December 31, 2009 and henceforth, Temporarily Restricted Net Assets General Ledger Account #32215, Pratt-Kurz quasi endowment, will be adjusted to fair market value, not to exceed the initial donation of \$402,338.29, as of the end of each month; and further,

BE IT RESOLVED, that any fair market value adjustment in excess of the initial donation of \$402,338.29 will be credited to Unrestricted Net Assets General Ledger Account #32216, Pratt-Kurz Income Fund.

4. Voted to name Elder Owen Wickstrand of La Jolla Presbyterian Church to serve the Administrative Commission for Fallbrook Presbyterian Church.
5. Voted to approve a process document recommended by the Committee on Preparation for Ministry. This document is available from the Stated Clerk's office on request and will be attached to the permanent minutes of the presbytery.

Voted to allocate the offerings received at Presbytery meetings as follows:

February 2010 – Presbytery General Fund  
April 2010 – Iglesia Presbiteriana Hispana  
June 2010 – Trinity Life Fellowship  
September 2010 – Urban Youth Collaborative  
November 2010 – Presbytery General Fund

6. In an Email vote taken on March 3, 2010, voted to elect Pastor Wayne Hoffman to serve the Administrative Commission for Southeast Presbyterian Church.

Pastor Chris Lenocker, Council Moderator

### **Actions of the Committee on Ministry (COM) being reported to Presbytery**

The COM met on February 23, 2010 and took the following actions:

1. Voted to concur in the request of the Solana Beach Presbyterian Church that Elder Jim Lagerstrom continue as a Commissioned Lay Pastor for a second three-year term without remuneration and accepting mutually agreed assignments effective January 16, 2010.
2. Voted to concur in the request of the congregation of the Fletcher Hills Presbyterian Church and the Rev. Brian Reed, that his Associate Pastor call be dissolved effective February 28, 2010. This action was voted at a called meeting of the congregation on February 14, 2010. All financial obligations by the parties will be met by December 31, 2010.
3. Voted to reinstate Dr. Lewis León to the Office of Minister of Word and Sacrament effective forthwith.

Background: On October 10, 2008, the Permanent Judicial Commission (PJC) of the Presbytery of San Diego rendered their decision in the case of the Presbytery of San Diego for The Presbyterian Church (U.S.A.) v Lewis S. León, Minister of Word and Sacrament. The PJC decision was read into the minutes of the Presbytery on November 18, 2008. The following paragraph is the final part of the PJC's decision.

“The Committee on Ministry shall have the authority pursuant to *Book of Order* D-12.0104b and D-12.0104c to select the counselor for the rehabilitation program, provide other appropriate conditions attendant to such counseling, and to determine when the rehabilitation program has been completed successfully.”

The COM spent from October 2008 through their meeting on February 23, 2010 before determining that they were satisfied that Dr. León had completed the requirements of the judicial order and was in fact repentant and ready to be returned to ministry. Dr. León met with the committee on February 23, 2010, and the members of the COM present voted unanimously on this matter.

Pastor Randy Yenter, Chair

## **Actions of the Committee on Preparation for Ministry (CPM) being reported to Presbytery**

The CPM met on March 9, 2010 and took the following action:

1. Enrolled Lindsey Santamaria, a member of the Rancho Santa Fe Village Community Presbyterian Church as an Inquirer.

Pastor Margaret Walls, Chair

## **Report of the Administrative Commission for La Mesa Presbyterian Church**

### **Administrative Commission Report La Mesa Presbyterian Church April 1, 2010**

On February 16, the Presbytery of San Diego, created an Administrative Commission to look into matters at La Mesa Presbyterian Church, regarding concerns about the viability of the congregation to function as a church under our bylaws. The recent inability of the congregation to pay its pastor and staff, as well as its struggle to find people to serve on committees, were part of the concern that initiated this action. Upon our first meeting with the session (3 members), on February 22<sup>nd</sup>, we found a tired and disheartened group of people that had come to realize they could no longer sustain the operations of the church. After a conversation with the session and two members that came to share similar sentiments about being tired, the AC decided to call a congregational gathering for March 7<sup>th</sup>, to hear from the congregation.

At the March 7<sup>th</sup> meeting we heard from members who felt discouraged, as well as members who were angry about the state of the church. After much discussion the moderator, Steve Locke, polled the congregation as to their desire to continue. Only two people out of twenty felt they could continue, the rest believed it was time to dissolve the congregation and to move on to other churches.

On March 15<sup>th</sup>, the Administrative Commission met with the session of La Mesa Presbyterian to tell them that we concurred with the congregation and session that the church needed to be dissolved and told them that the Administrative Commission had just voted early to do so, if there were no objections. It was concurred and we started making plans for the last Sunday worship service which would take place on March 28<sup>th</sup>.

The Administrative Commission then developed a plan to dissolve the congregation and corporation. We enlisted the help of Karen Weissman, the present voluntary secretary, to collect the corporate papers, to get the books ready to turn over to the presbytery and to make an inventory of the personal property of the church. At present all these tasks are done and the corporate papers are in the hands of Michael Williams, who had been asked to start of the process of dissolving the corporation with the state.

On March 28<sup>th</sup> the church had its final worship service and then adjourned to the Fellowship Hall for a meal and the final vote to dissolve the corporation. Many past pastors and members were present to thank the congregation for their Christian presence throughout the years and prayed with them on this difficult day.

Members of this commission are Rev. Dr. Steve Locke (Chair), Revs. Harvey Throop and Ian Farrell, Elders Joan Stroh (Chula Vista), Nancy Harber (Faith), Larry Rega (Lakeside) and Don Griffith (Pt. Loma Community). The AC will remain constituted until all of the business of the dissolution of the corporation is completed.

Pastor Steve Locke, Chair

## **Report of the Administrative Commission for Fallbrook Presbyterian Church**

The monthly written report of this commission will be included in the supplemental docket that will be distributed at the presbytery meeting on April 20, 2010.

Elder Jack Shelver, Chair

## **Report of the Administrative Commission for Southeast Presbyterian Church**

The quarterly written report of this commission will be included in the supplemental docket that will be distributed at the presbytery meeting on April 20, 2010.

Elder Maurice Caskey, Chair

### **Consent Agenda**

#### **The Stated Clerk recommends the following:**

1. That the minutes of the presbytery meeting of February 16, 2010, be approved.

Elder Linda Therien

#### **The Ecclesiastical Committee recommends the following:**

1. That the Presbytery concur in their recommendation that the updated bylaws for the First Presbyterian Church of Oceanside be approved. The congregation approved this document on February 14, 2010. The complete document can be found on pages 7 - 12 at the end of this agenda.

#### **The Budget Property & Finance committee recommends the following:**

1. That the first \$25,000 received from the Synod of Southern California & Hawaii be allocated to reduce the debt owed by the Mount Soledad Presbyterian Church to the Presbytery.

Background information: At the Synod Assembly in 2009, the assembly voted to allocate \$100,000 to each presbytery in the Synod in 2010 to be paid at the rate of \$25,000 per quarter. The spirit of this motion is that they will do the same in 2010 for 2011. This money is unrestricted and can be used for whatever purpose deemed appropriate by the Presbytery.

Elder Owen Wickstrand, Chair

### **Business for Presentation, Discussion and Action on the floor**

#### **The Ecclesiastical Committee recommends the following:**

1. That the Presbytery concur in the committees recommendation that the following overture be approved and forwarded to the 219<sup>th</sup> General Assembly:

The Presbytery of San Diego overtures the 219<sup>th</sup> General Assembly (2010) to respond to the report by:

1. Disapproving the recommendations from the Form of Government Task Force;
2. Dismissing the Task Force with thanks and commendation for their hard work; and,
3. Adding comment: We have learned a great deal from the Task Force's hard work and invaluable contribution in moving us toward a more missional polity. However, the Assembly discerned that it would be better to allow presbyteries the freedom to work in conjunction with the General Assembly Mission Council to develop a new way forward rather than trying to amend and reshape only the model proposed by the Task Force.

## Rationale:

The Task Force did an amazing job producing exactly what they were assigned to do. They constructed a document that meets the instructions set forth for them by the 217th General Assembly (2006). They have constructed a new Form of Government (nFoG) – a new house – from scratch and per instruction.

The problem is the house they were commissioned to construct will never be the house into which the Presbyterian Church (U.S.A.) can move. We can study the designs, we can amend it, we can try to tweak it and mold it, but it will never be the house for us. And, if we persist on trying to force it into being the house for us, we perpetuate uncertainty; worse, we lose time and opportunity to pursue other options for change.

- a. One major problem is that the nFoG presumes trust in a context where trust has been sorely lacking. Our PJC cases arise because we do not act in a trustworthy manner with each other. Decisions by governing bodies are insufficient, everything has to be tested "in court" (in the permanent judicial commissions). The tensions and controversies are real. It is likely and foreseeable that councils will produce processes that yield conflicting results. Clarity and certainty allow us to move forward together. Ambiguity and confusion cause us to distrust and separate us from each other. There is no trust without accountability. There is no accountability without clarity. If trust is not found, it would be folly to approve the nFoG which presumes it.
- b. A second major problem is that the nFoG seeks a polity solution to a covenantal issue. If everyone agreed on how things worked, this would be a great option. However, the history of the Presbyterian Church (U.S.A.) suggests that things are otherwise. You cannot read the nFoG as if there will be some other people living under it, or that we will somehow change our character because the Form of Government has changed. It does not work that way. The Form of Government is regulatory because we are regulatory. Changing to the nFoG would not make us less regulatory people. Instead, it would heighten the need for regulatory clarification because test cases and controversies would arise immediately.
- c. A third major problem is the false presumption that the current Form of Government is preventing us from being missional. There are instances where things could be improved, but it is not the case that our current *Book of Order* is preventing us from proclaiming the gospel, from going out making disciples, or from pursuing righteousness and justice. Those things are not happening because we are not doing them -- the failure is ours, not the Form of Government. Nothing would change under the nFoG unless we change -- at which point the change is due to US changing, not the Form of Government.

Pastor Jerry Andrews, Chair

## The Committee on Preparation for Ministry recommends the following:

1. That Daniel So, a member of the Korean United Presbyterian Church and an Inquirer under care of the committee, be advanced to Candidate.

Rev. Margaret Walls, Chair

BYLAWS OF THE CONGREGATION OF  
THE FIRST PRESBYTERIAN CHURCH OF OCEANSIDE

PREAMBLE

We, the members of THE FIRST PRESBYTERIAN CHURCH OF OCEANSIDE, (hereinafter referred to as “the church”) organized and existing according to The Constitution of THE PRESBYTERIAN CHURCH (USA), enact the following Bylaws.

ARTICLE 1

Discipline

The church for itself and its individual members, acknowledges and adopts the Constitution of The Presbyterian Church (USA) as its own as interpreted by its governing bodies in all matters.

ARTICLE II

Membership

The requirement for membership in the church is profession of faith in Jesus Christ.

ARTICLE III

Session

Section 1 – Composition. The Session shall be composed of eighteen elders, divided into three classes of six members each. The terms of the three classes shall be so arranged that the term of one of the classes expires on the date of officer ordination and installation each year.

Section 1.1 – Clerk of Session. Subject to the approval of the Session, the Pastor shall appoint, from time to time, an ordained elder to serve as the Clerk of the Session, and such clerk shall attend and report all meetings of the Session, but serve in a non-voting capacity unless said elder is currently serving as a member of the Session.

Section 2 – Elections. The elders shall be elected at the annual congregational meeting of the congregation to be held in May or June, as designated by the Session. One class, six elders, shall be elected from those nominated. The six receiving the highest number of votes shall be elected.

Section 3 – Term. Each elder, except those elected to fill a vacancy, shall be elected for a term of three years.

Section 4 – Vacancies. If a vacancy occurs on the Session, it may be filled at a special congregational meeting or at the next annual congregational meeting. The person chosen to fill such vacancy shall be elected only for the unexpired portion of the term of the elder being replaced.

Section 5 – Qualifications.

Persons nominated for the office of elder shall meet the following qualifications:

- a. Be a member of the church in good standing;
- b. Not have served as elder, other than to fill a vacancy, within one year prior to the annual or special congregational meeting at which such person is nominated.
- c. Not be a member of the church staff, and
- d. Have an annual pledge of record.

Persons nominated for the office of elder would ordinarily be a member of the First Presbyterian Church of Oceanside for at least two years prior to the date of their installation.

Section 6 – Duties, Responsibilities and Powers. The duties, responsibilities and powers of the Session and of the individual elders shall be as indicated in the Constitution.

Section 7 – Meetings. The Session shall hold at least one regular monthly meeting unless otherwise decided by Session. No notice need be given of such meeting. A quorum shall be the Moderator and one-third of the elders. The Session may specify other rules and regulations for the conduct of its business as it may from time to time deem necessary.

Section 8 – Moderator. The Moderator of the Session shall be as indicated in The Constitution.

Section 9 – Review. The Session shall annually review the proceedings and activities of all organizations in the church.

## ARTICLE IV

### The Deacons

Section 1 – Composition. The Board of Deacons shall be composed of twenty-four deacons divided into three classes of eight members each. The terms of the three classes shall be so arranged that the term of one of the classes expires on the date of officer ordination and installation in January of each year.

Section 2 – Elections. The deacons shall be elected at the annual congregational meeting to be held in May or June, as designated by the Session. One class, eight deacons, shall be elected from those nominated. The eight receiving the highest number of votes shall be elected.

Section 3 – Term. Each deacon, except those elected to fill a vacancy, shall be elected for a term of three years.

Section 4 – Vacancies. If a vacancy shall occur on the Board of Deacons, it may be filled at a special congregational meeting or at the next annual congregational meeting. The person chosen to fill such vacancy shall be elected only for the unexpired portion of the term of the deacon being replaced.

Section 5 – Qualifications. Persons nominated for the office of deacon shall have the same qualifications as provided in Article III, Section 5.

Section 6 – Duties and Responsibilities. The duties and responsibilities of the Board of Deacons and of the individual deacons shall be as indicated in The Constitution.

Section 7 – Meetings. The Board of Deacons shall hold at least one regular bimonthly meeting. No notice need be given of such meeting. A quorum shall be one-third of the deacons. The Board may specify other rules and regulations for the conduct of its business as it may from time to time deem necessary.

Section 8 – Officers. The officers of the Board of Deacons shall be as indicated in The Constitution.

Section 9 – Funds. The Board of Deacons may receive for the purpose of its ministry, a monthly allotment from the general funds of the church in an amount to be determined by the Session together with special offerings as may from time to time be authorized by the Session.

## ARTICLE V

### Annual and Special Congregational Meetings

Section 1 – Date and notice. Two annual meetings will be scheduled by the Session. An annual meeting will be held in May or June for the purpose of electing Elders, Deacons, at-large members of the Nominating Committee and members of the Financial Review Team, and any other business appropriate for a congregational meeting. An annual meeting will be held in October for the purposes of receiving the annual reports of the church's ministry teams, boards and organizations and to review the terms of call for the pastoral staff, and any other business appropriate to a meeting of the congregation.

Section 2 – Officers.

- a. The Moderator of the congregational meeting shall be the pastor, or in his absence, a substitute as provided by The Constitution.
- b. The Clerk of Session shall be secretary of the meeting.

Section 3 – Quorum. A quorum shall be one-tenth of the membership.

Section 4 – Elections. Elections of officers of the church shall be by written ballot, except that if there are only as many nominees as there are vacancies for an office the nominees may be elected by resolution adopted by a voice vote.

Section 5 – Special Congregational Meetings.

A. Special Congregational Meetings may be called:

- (i) By the Session, whenever it determines such a meeting is necessary, or by the Presbytery.
- (ii) By the Session when requested in writing by one-fourth of the church membership.

B. The business to be transacted shall be limited to items specifically listed in the call for the meeting.

Section 7 – Eligible Voters. All members on the active roll.

ARTICLE VI

Nominating Committee

Section 1 – Composition. The Nominating Committee shall consist of nine members of the church. The Session shall designate two of its members, one of whom shall be named as chairperson by the Session. One member shall be designated by the Board of Deacons. The remaining six members shall be members of the church, not members of the Session or the Board of Deacons and shall be the representatives of the congregation. These six shall be elected by the congregation. The pastor shall be an ex officio member of the Nominating Committee without vote.

Section 2 – Duties. The duties of the Nominating Committee shall be to place before the congregation at the annual meeting or special congregational meeting a list of candidates for the Session, the Financial Review Team, Board of Deacons and the Nominating Committee for the next year or candidates for such vacancies as occur.

Section 3 – Meetings. The Nominating Committee shall meet at least once at a time and place to be designated by the chairperson. The meeting should be held at least sixty days prior to the annual congregational meeting and at other times as necessary.

Section 4 – Nominations by the Congregation. Opportunity shall be given by the Nominating Committee to members of the congregation to make recommendations to it for nominees for the church offices. In addition, opportunity shall always be given at the annual congregational meeting for nominations to be made from the floor by eligible voters. Persons making such nominations must attest to the qualifications of the nominee as set forth in these bylaws, and represent that such nominee will accept the nomination.

Section 5 – Presentation of Nominees. The chairperson of the Nominating Committee shall, at least one week prior to the elections, publish to the congregation the names of all the nominees.

ARTICLE VII

Finances and Budget

Section 1 – Finances. The Session shall have control of all finances of the church and their administration.

Section 2 – Budget. The Session shall appoint a Budget Committee to prepare and present to the Session a proposed budget prior to the October annual congregational meeting. Upon approval of the budget by the Session, the budget shall be reported at the annual congregational meeting as the budget of the church for the fiscal year for which it is adopted. Requests by the congregation for changes in the budget should properly be referred to the Session for consideration.

## ARTICLE VIII

### Amendments

These bylaws may be amended in the following manner:

- A. Upon receipt of a request for amendment of these bylaws, the Clerk of Session shall first determine that the proposed bylaw is in proper form and is consistent with The Constitution of The Presbyterian Church (USA) or the corporation laws of the State of California.
- B. The requirements of paragraph (A) above being satisfied, the Clerk of the Session shall cause the amendment to be posted upon the bulletin boards of the church for two weeks before an annual or special congregational meeting at which the amendment is to be submitted.
- C. The proposed amendment shall be submitted to the congregation at an annual or special meeting by an affirmative motion, duly seconded; and, if the motion receives a majority vote of those members voting, it shall be deemed approved and the bylaws amended accordingly.
- D. A request for amendment of the bylaws may be combined with a request for a special congregational meeting.
- E. Each amended date should be included on the final page to confirm such amendments in the corporate records.

## ARTICLE IX

### Financial Review Team

Section 1 – Composition. The Financial Review Team shall consist of three members of the church not members of Session or the Board of Deacons and shall be representative of the congregation.

Section 2 – Election. The Financial Review Team shall be elected at an annual congregational meeting. Members shall be elected from those nominated. The three receiving the highest number of votes shall be elected. The team members shall elect a chairperson at their first meeting.

Section 3 – Duties. The duties of the Financial Review Team shall be to inspect the books, records, receipts, checks, and all other pertinent documents relating to the administration of the financial matters of the church. Upon completion of its review, the team shall present its written finding to the Committee on Finance for review and submittal to Session no later than August 31 each year.

Section 4 – Meetings. The Financial Review Team shall meet at least once at a time and place designated by the chairperson of the Committee on Finance.

Section 5 – Term. Financial Review members shall be elected for a term of two years. The Nominating Committee shall endeavor to arrange the terms of office so that members' terms do not expire simultaneously.

Section 6 – Qualifications. Each member of the Financial Review Team shall:

- a. Be a member of the church in good standing;
- b. Be a member of The Presbyterian Church (USA) for at least two years prior to the annual or special congregational meeting at which he/she is nominated;
- c. Not be a member of the church staff or an immediate family member; and
- d. Not be a currently serving member of the Session, Board of Deacons, nor have served in such capacity during the period being inspected.

## ARTICLE X

### The Board of Trustees

Section 1 – Members. Elders elected to the Session shall also be elected to be Trustees. The Trustees, while in office, shall constitute the Board of Trustees of this Corporation. They shall be responsible to the congregation according to the Constitution of the Presbyterian Church (USA), the corporate laws of the State of California, and these bylaws.

The President of the Corporation shall preside at meetings of the Board of Trustees.

Each member shall remain in office until a successor is duly elected and installed.

Section 2 – Regular Meetings. As prescribed in Article III, Section 7.

Section 3 – Special Meetings. As prescribed in The Constitution.

Section 4 – Quorum. As prescribed in Article III, Section 7.

Section 5 – Officers. The officers of the Corporation shall be President, Vice President, Secretary and Treasurer. They shall be elected annually by and from the members of the Board of Trustees (Session), and remain in office until a successor is duly elected and installed. The Treasurer shall Chair the Committee on Finance and the Secretary shall be the Clerk of the Session. The duties of the officers are as prescribed by the Session.

Duties of the Officers:

- a. President – Preside at meetings of the Board of Trustees to consider contracts, loans, deeds, sign corporate documents and other corporate matters as needed.
- b. Vice President – Assume all the corporate duties in the absence of the President as needed.
- c. Secretary – Be responsible for accurate minutes of corporate meetings, sign corporate documents as needed and serve as Clerk of Session.
- d. Treasurer – Be responsible for the safeguarding of the church funds and property, sign checks and corporate financial documents, Chair the Finance Committee, and other related duties as needed.

Section 6 – Powers.

- a. The corporate powers of this church shall be exercised by the Board of Trustees. The Board shall process formal corporate documents and perform duties required of it by law according to powers granted to a non-profit religious corporation by the laws of the State of California, and shall be in conformity with the Articles of Incorporation of this church.
- b. The Board of Trustees shall not sell, mortgage or otherwise encumber any of the church's real property; acquire real property subject to any encumbrance or condition; or lease its real property used for purposes of worship; or lease any of its other real property for more than five years, without the written permission of the Presbytery of jurisdiction transmitted from the congregation through the Session.
- c. All real and/or personal property, now or hereafter acquired and any interests therein legal or equitable will be held in trust for the use and benefit of the Presbyterian Church (USA) through the Presbytery of jurisdiction, its successor assigns.
- d. Upon the winding up or dissolution of this corporation, after paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to the Presbyterian Church (USA) through the Presbytery of jurisdiction,

a religious corporation, if it is still in existence and exempt under Section 501(c)(3) of the Internal Revenue Code; but if it is not then in existence or exempt to a non-profit fund, foundation, or corporation organized and operated exclusively for charitable and/or religious purposes and that has established its tax-exempt status under the Internal Revenue Code Section 501 (c) (3).

Section 7 – Delegation of Authority. The Board of Trustees, subject to the limitations of these bylaws, may authorize any officer, officers, or agents, to enter into any contract and execute any instrument in the name of, and on behalf of, this corporation. They may be given authority in the name of the corporation to borrow money or incur indebtedness and to cause to be executed and delivered promissory notes, deeds of trust, mortgages, pledges, or other evidence of debt and security therefore. Unless so authorized, no officer, agent or employee, shall have any power of authority to bind this corporation to any contract or agreement without prior Board of Trustees approval as recorded in corporate minutes.

Section 8 – Corporate Documents. The President, or in his/her absence the Vice President, together with the Secretary or Treasurer, shall execute, in the name of the corporation all contracts, deeds, encumbrances, notes and other instruments whereby the church may become bound as a corporation, and may affix the corporate seal to any such instruments that may require it, as approved by the Board of Trustees and recorded in the corporation's minutes.

Latest revision approved by the Congregation on February 14, 2010.

Signed by: \_\_\_\_\_(Moderator)  
Reverend Dr. Tim Beal

\_\_\_\_\_(Clerk of the Session)  
J. Scott Cadwallader

As Amended 1/19/03  
As Amended 9/30/07  
As Amended 2/14/10