

**STATED MEETING OF THE PRESBYTERY OF LOS RANCHOS
TRINITY PRESBYTERIAN CHURCH, SANTA ANA**

2:00 p.m. Thursday, November 17, 2011

Version: 11/16/2011 4:06 PM

Registration, 1:30-2:15, Open Space @ 2:00 p.m.

OPEN SPACE OPTIONS:

1. Christian Educator's Network
2. Board of Pensions Updates (and meet new Regional Representative)
Clayton Cobb
3. Jane Holslag (2:00)
4. Ron Oglesbee (3:30)
- 6.

DINNER: 5 p.m. Menu TBA

WORSHIP: 5:45 P.M. Christian Educators' Network (includes communion and necrology)

Stated Meeting:

6:30 p.m. Call to Order/Prayer/Quorum - Moderator Kathy Sizer
Seating of New Commissioners and Corresponding Members
COM Introduction of "New" Pastors (Elder Betty Thompson)
Welcome Jane Holslag
Corresponding Members: Rev. Clayton Cobb, Board of Pensions
Approval of Docket

6:40 p.m. **Consent Agenda**

6:42 p.m. **Omnibus Motion:** Report of Council, COM, CPM, Stated Clerk (non
action items)

6:45 p.m. **Committee on Nominations Rick Headly, Moderator**

6:55 p.m. **Welcome from Board of Pensions (Rev. Clayton Cobb)**

7:00 p.m. **Examination for Moving Inquirer to Candidate (Alex Wirth) (Ruling
Elder, Chuck Wakamoto.**

7:15 p.m. **Report from Presbytery Pastor**

7:30 p.m. **Report of Council (Steve Yamaguchi)**

Rethinking Our Abundance: Rev. Chineta Goodjoin

2012-2013 Proposed Budget: Rev. Cheryl Raine, Presbytery Council/Former Moderator

Bill Ewing, Staff Relations; Tom Cramer, Strategic Coordinating Team; Lanny Hawkinson and Keith Geckeler, Trustees.

Postponed from September meeting: Policy on Temporary Pastors

Recommendation regarding Process for Electing GA Commissioners

(Michael Haggin overture postponed to February at his request)

8:15 p.m. **New Business***

8:20 p.m. **Thanks to Host Church and Adjourn**

NEXT GATHERING: February 23rd, 2012 (4th Thursday) 2:00 to 8:00 p.m. at TRINITY

PRESBYTERIAN CHURCH

COMMITTEE ON MINISTRY recommends:

That presbytery approve the request of Rev. **Chris Strutt** to honorably retire as of December 31, 2011.

COMMITTEE ON PREPARATION FOR MINISTRY recommends:

That presbytery approve the transfer of Candidate **Dana Caraway** to the Presbytery of Twin Cities Area per their request. Ms. Caraway has lived and worked within their bounds for most of the time she has been under care.

OMNIBUS MOTION

PRESBYTERY COUNCIL

Commissioned the Rev. Dr. **John McKeague** to serve as the Strategic Coordinating Team's liaison to churches currently using intensive consultation processes or exploring the possibility of using one.

Background: John and/or his designees are assigned to assess whether such processes are being used to their full advantage and to ensure that all levels of congregational leadership and membership are tracking with the process (e.g., pastoral leadership, Session, ministry team leaders, and church members). John and/or his designees will also assess the merits for granting financial assistance to churches using intensive consultation processes. John will provide reports, as requested, to the SCT.

Approved the use of church Development funds (from the sale of church properties) in the amount of \$4,500 for the purpose of subsidizing the next phase of Yorba Linda Presbyterian Church's implementation of the TAG consultation process, subject to Yorba Linda providing COM results of the initial survey, and contingent on John McKeague's positive assessment of Yorba Linda Presbyterian Church's traction with the TAG process at all levels of congregational leadership and membership.

Approved the following process for hiring contract staff:

1. The contract description is approved by Council.
2. The contract description is advertized for one month, e.g., Presbytery Pastor's e-sharing and posted on the PLR website.
3. The Council approves a search team composed of the following members: the presbytery pastor and/or associate presbytery pastor, and at least two members of the leadership team most related to the contract staff person's work (i.e., Generative Team, SCT, or Fiduciary Team, member at large person).

Approved the Tri-Party Covenant Agreement for the Village Presbyterian Church Partnership with the following amendment. Replace article 2.3(b) to read:

“The LRP will provide active communication to the churches of Los Rancho regarding the progress of VPC as well as opportunities to support its service and mission. The LRP will also communicate opportunities for VPC to support the mission of the wider denomination, where appropriate.”

Approved the request of New Hope Presbyterian Church's (NCD) to transfer the day-to-day management of financial records and funding from the Presbytery of Los Ranchos to the New Hope financial team according to the conditions identified by PLR's legal council for continued oversight by PLR.

Approved a 5% salary and housing increase for the Rev. Chineta Goodjoin for the year 2011.

Rescinded its action of 11/11/10 “to award the First Presbyterian Church of Downey a grant in the amount of \$20,000 for 2011 as Multicultural Ministry Support” and, instead, to allocate \$30,000 in 2011 for this purpose. The allocation of this award will be made from the following PLR accounts: \$10,000 from Joining Hearts and Hands Fund and \$20,000 from Church Development Fund (see "Use of Funds from the Sale of Church Properties" document).

Approved the following proposal From the **Village-SCPC Partnership Team**:

Continue using \$7,500/month of Joining Hearts and Hands Funds to support the ministry of Village Presbyterian Church in Ladera Ranch through June of 2011. At that time, the Presbytery's support will be re-evaluated with a new recommendation.

During the six months, Village Partnership will establish both a new ministry plan as well as a new financial plan with Village Pres. Both of these plans will have ways of assessing the ministry growth and potential of Village Presbyterian and present the Presbytery with options for how to proceed forward.

The Village Partnership is made up of leadership from both Village Pres. and San Clemente Pres. Tom Cramer has been present in recent conversations. Craig Williams is facilitating the conversation and planning.

Joining Hearts and Hands Funds assign the responsibility of financial oversight of the Village Presbyterian Church of Ladera Ranch to the Partnership Team.

NOTICE OF REMEDIAL COMPLAINT

On October 14, 2011, I received in my office via Certified Mail a "Statement of Complaint" signed by thirty two member/commissioners of the Presbytery of Los Ranchos alleging an irregularity at the September 15, 2011 meeting of this presbytery. The action in question was the adoption of a "Response to 10-A", a "...statement interpreting this presbytery's understanding of certain behavioral expectations of members."

The complainants allege that the action was irregular in the following particulars:

By this action the Presbytery of Los Ranchos is restating the Constitution and therefore obstructing the ongoing interpretation and implementation of the Constitution. PJC (Bush v. Presbytery of Pittsburgh, 2008)

By this action the Presbytery attempts to define, diminish, augment and/or modify standards for ordination and installation of church officers. PJC (Bush v. Presbytery of Pittsburgh, 2008)

The Presbytery of Los Ranchos is defining in advance "essentials" and declaring failure to adhere to these mandated essentials a bar to ordination and installation. . PJC (Buescher, et al. v. Presbytery of Olympia, 2008)

In addition a Request for a Stay of Enforcement was filed concurrently with the complaint asserting the above arguments regarding constitutionality and asserting the harm that would occur if the action was not stayed would be

(1) Notice of this policy will cause substantial confusion and serious conflict among our churches and their members regarding the essentials for ordination and installation of teaching elders by the Presbytery and ruling elders and deacons by the congregations.

(2) Teaching elders who may want to join our Presbytery will be dissuaded from seeking membership in the Presbytery of Los Ranchos.

The Presbytery received word on Thursday, November 3rd, that a Stay had been granted under the provisions of D-6.0103.

The Docket Committee of Council, acting under the provisions of Standing Rule 7.4, appointed the following Committee of Counsel to represent the presbytery in this complaint: D-6.0302: Teaching Elders Gary Watkins (Huntington Beach Christ) and Emily McColl (Laguna Niguel) and Ruling Elder Neal Wells (St. Andrew's) (Attorney). They had their initial meeting on Wednesday, November 2 and have become preparing a response on behalf of the presbytery. A response to the

complaint will be filed by November 29th and to the Stay by 45 days following receipt of a physical copy of the Stay itself.

The above is presented to the presbytery for information only. All appropriate steps are being taken under the oversight of the Presbytery Council and the Stated Clerk's office. While in judicial process, there is nothing more that the presbytery may do (other than vote to rescind the action). Until such time as the PJC acts upon its Stay of Enforcement, the action related to 10-A has no standing within the presbytery.

THE RELATIONSHIP BETWEEN PRESBYTERY AND CONGREGATIONS WHEN CONTRACTS AND OTHER LEGAL CONCERNS ARISE

It is now common for congregations to be confronted with myriad issues requiring legal or accounting advice and counsel: leases, property, cell towers, by-laws, lawsuits, zoning, severance agreements, tax exemptions, media, etc. Because many overlap with the fiduciary responsibilities of the presbytery, the question of legal representation and expense has become a concern that the presbytery wishes to address below.

1. The Presbytery of Los Ranchos maintains an ongoing relationship with specific attorneys and accountants with expertise in legal and accounting areas in which the presbytery is most often involved: property, personnel, taxes, employment, and litigation. In addition, we carry insurance that will provide legal services for the presbytery in a number of contexts—and expect congregations to have similar coverage. These professionals are employed on an hourly, as needed basis, for specific purposes and situations, and we are billed accordingly.
2. Many congregations also have attorneys and CPA's who are members—or have relationships with attorneys and/or CPA's who will provide services at reduced rates or have served them capably in the past and thus the session is comfortable employing them as needed.
3. The Presbytery staff are not licensed attorneys or CPA's and thus are not permitted to provide legal or accounting opinions or advice. They can provide general understanding of legal and accounting issues and share from experience and training, but will always present a disclaimer that they cannot provide professional advice or opinions and will indicate if and when the congregation/individual should seek professional advice and counsel.

In the course of business, the presbytery and congregations will often find their concerns and issues overlapping. Presbytery is required to approve leases—meaning congregations must have leases with outside groups using their facilities. If the property is to be encumbered, presbytery must approve. If a church is facing a potential lawsuit, issues of insurance and presbytery as a named party emerge. A church confronts a personnel issue that may involve the presbytery. A matter comes up regarding IRS regulations of not-for-profit corporations. Rewriting By-Laws may result in the need for clarification on matters governed by state not for profit laws.

In these situations, the question of who “benefits” becomes important in determining the selection of legal/accounting professionals and the responsibility for payment. To this end, the Presbytery of Los Ranchos adopts the following guidelines:

- 1) The presbytery will enter into contracts with attorneys/CPA's on an as needed basis and will pay for such services when the contracting is clearly initiated by presbytery and the counsel sought is clearly to protect the fiduciary responsibilities of the Trustees and the corporate officers and the assets of the presbytery.
- 2) A congregation/session is always an independent agent in matters of securing legal/accounting services. It should always secure a contract for services before initiating consultation and/or production of product by an attorney or CPA. It must clearly understand that it is responsible for payment of services provided.
- 3) In many cases, the presbytery's attorney/CPA will have to approve a work product before the Trustees will approve the document/agreement. Presbytery will pay for that service. If presbytery's attorney/CPA requires additional work by the congregation's attorney/CPA before

recommending Trustee approval, the cost of the additional work will be borne by the congregation.

- a. This gives rise to the potential situation where it will be advantageous (less expensive) to have the presbytery's usual attorney/CPA providing the legal/accounting services needed by the church¹. If the church chooses to utilize the presbytery's usual attorney/CPA, **the cost for any and all services provided will be borne by the church.** If this is not an acceptable arrangement, the church is always free to engage the services of their own attorney/CPA.
- b. The same is true in contracting with attorney/CPA for acting as negotiating agent in legal matters. The presbytery's only issue is that the final agreement meet the fiduciary requirements for presbytery approval. Any expenses generated in producing such an agreement are the **sole responsibility of the congregation.** **[This will include any revisions to a negotiated contract/settlement which are necessary before the Trustees will approve the contract/settlement.]**
- c. With one exception, the presbytery will not recommend or require that a congregation use the same attorneys/accountants used by the presbytery². But if asked, the presbytery will provide the names of its attorneys/CPA's with skills/expertise in a specific area of concern.

There will be situations in which the presbytery, in order to protect its "interests" will intervene to secure legal/accounting advice and counsel. In such cases, it will do so without expectation of reimbursement by the church involved. **The presbytery will be clear with the congregation and attorney when the presbytery is to be billed directly. Without presbytery's written direction that it is covering the costs of professional services, the costs will be borne by the congregation.**

(continued on next page)

¹ Often, presbytery's attorney will have boilerplate contracts or other legal documents that can be customized for a particular situation—producing significant savings and accelerating the process. An accountant may have software and other recommendations what reduce time and outsourcing costs. The presbytery's attorney may have years of experience dealing with a specific situation that is "first time" to the church—and thus able to provide more effective representation at lower costs. The presbytery's attorneys/CPA's will sometimes provide reduced rates to churches for personal or professional reasons.

² The one exception is for severance agreements with pastors. The presbytery will provide the severance agreement at its own expense.

COMMITTEE ON MINISTRY

The Committee on Ministry has met twice with a quorum present since the last regular meeting of the presbytery. In accordance with action taken, COM reports the following:

Approved all changes in pastoral terms of call. (schedule attached) (This motion was acted on at COM’s April meeting, but was inadvertently omitted from the Omnibus Report for the May 19th meeting of presbytery.)

Approved the dissolution of the Associate Pastor relationship between Rev. **Gerald Arata** and Grace First Presbyterian Church, Long Beach, pending action by the Congregation on October 23.

Approved **Rev. Richard Pfeil** as a member of Los Ranchos Presbytery and the action of Journey Evangelical Church, Westminster, to call him as their Pastor effective December 4, 2011, with the following terms of call:

Cash Salary	\$	50,000.00
Housing	\$	40,000.00
Deferred Income	\$	
Full Pension (31.5%)	\$	28,350.00
Moving Expenses	\$	16,300.00
Social Security Offset	\$	6,885.00
Medical/Dental Supplement	\$	0.00
Auto Reimbursement (IRS Vouchered Reimbursable)	\$	3,000.00
Continuing Education	\$	1,500.00
Books and Journals	\$	500.00
Business Expense	\$	1,000.00
Other: Dental & medical supplemental	\$	1,500.00
Vacation: 30 calendar days (4 Sundays)		5 weeks
Continuing Education: 2 weeks		2 weeks

And request the transfer of Rev. Richard Pfeil’s membership from the Presbytery of New Castle. The AA/EEO guidelines have been followed.

Approved paying 2/3rds of the cost of Post Retirement Service Board of Pension costs for Tom Erickson; approximately \$480 additional per month.

Approved a single payment of \$5,000.00 to cover cash salary for Rev. Mark Hong for the months of July, August, and September; six payments in the months of October through December in the amount of \$833.33 per payment—to be paid directly to Mark by direct deposit along with the payments from the presbytery’s “ACH” account.

Source:

- Payments shall come
- \$4500 from Sale of Property: Pastor’s Compensation
- \$4500 from Sale of Property: Church Development
- \$1000 from Samaritan Fund

The session of Shin-II Presbyterian Church has to provide a viable plan to pay next year.

Approved a part-time Designated Associate Pastor position for **Vietnamese Presbyterian Church, Garden Grove**, and to grant the PNC permission to serve as Designated Associate Pastor Nominating Committee and to grant permission to engage in a “non-traditional” search.

Approved the following Administrative Commission to install **Rev. David Rohde** as Associate Pastor on Sunday, October 16, 2011:

Moderator: Kathy Sizer

Commission:

Pastor: Chris Grange, Pastor, St. Peter’s By-The-Sea PCUSA

Pastor: Steve Yamaguchi (Presbytery Pastor)

Elder: Karla Altizer, Elder, St. Peter’s By-The-Sea PCUSA

Elder: Rick Norton, Elder, Community Presbyterian Church of La Mirada

Other Participants:

Elder: Leroy Bell, Elder, St. Peter’s By-The-Sea PCUSA

Deverick Lampley, Elder, St. Peter’s By-The-Sea PCUSA

Paul Cunningham, Pastor, La Jolla Presbyterian Church, Presbytery of San Diego

Brady Phelps (San Diego Friend)

Tommy Gibbs (San Diego Friend)

COMMITTEE ON PREPARATION FOR MINISTRY

The Committee on Preparation for Ministry will have met twice with a quorum since the last regular meeting of the presbytery. In accordance with action taken at the October meeting, CPM reports the following:

The following Annual Consultations have been approved by CPM. They have been continued as Inquirers or Candidates and a summary of the Consultations have been/will be sent to their session and seminary (where applicable).

Ryan Romberg, Candidate

Kwan Park, Inquirer

Dana Caraway, Candidate

To enroll **David M. Ludwig**, a member of St. Andrew’s Presbyterian Church in Newport Beach, as an inquirer and a covenant agreement made with him based on Form 2 and according to Book of Order G-2.0601, which shall also include the following:

- a. Approve Mr. Ludwig’s attendance to Fuller Theological Seminary;
- b. that all required core courses be completed according to Book of Order and CPM guidelines;
- c. that Mr. Ludwig complete a unit of Clinical Pastoral Education (CPE).

To enroll **Jesse K. Lund**, a member of Presbyterian Church of the Master in Mission Viejo, as an inquirer and a covenant agreement made with him based on Form 2 and according to Book of Order G-2.0601, which shall also include the following:

- a. Approve Mr. Lund’s attendance to Fuller Theological Seminary;
- b. that all required core courses be completed according to Book of Order and CPM guidelines;
- c. that Mr. Lund complete a unit of Clinical Pastoral Education (CPE).

STATED CLERK

NECROLOGY REPORT 2011

Date of Death

02/26/2011

06/28/2011

Ministers

Rev. José Matos

Rev. Dr. Michael Wenning

Date of Death

07/10/2009

07/20/2010

10/20/2010

10/26/2010

11/01/2010

11/08/2010

11/24/2010

11/27/2010

12/06/2010

12/14/2010

12/29/2010

Elders

Audrey Meharg

Virginia Schaffert

H.C. Pete Foss

Loren Baumgardner

Dorothy Foss

Pauline Waterman

Jim King

Daniel Naranjo Lujan

Naomi Walton

Jess Hubbard

Fred Meier

Church

First Presbyterian Church, Downey

First Presbyterian Church, Downey

St. Andrew's Presbyterian Church, Newport Beach

St. Andrew's Presbyterian Church, Newport Beach

First Presbyterian Church, Downey

San Clemente Presbyterian Church

First Presbyterian Church, Fullerton

Whittier Presbyterian Church

First Presbyterian Church, Garden Grove

First Presbyterian Church, Garden Grove

Trinity United Presbyterian Church, Santa Ana

01/15/2011

01/23/2011

02/10/2011

02/12/2011

02/24/2011

02/28/2011

03/01/2011

03/08/2011

03/17/2011

04/02/2011

04/09/2011

04/21/2011

04/30/2011

05/02/2011

05/06/2011

05/07/2011

05/15/2011

05/15/2011

06/10/2011

06/27/2011

05/29/2011

06/22/2011

06/24/2011

07/28/2011

08/05/2011

08/06/2011

08/20/2011

08/30/2011

09/02/2011

09/03/2011

09/12/2011

09/18/2011

09/29/2011

10/03/2011

10/10/2011

10/11/2011

10/17/2011

10/26/2011

10/27/2011

Bertrand Giffen

Robert Wendel

Alfred King

Curtis Jones

Thomas Posey

John W. Watts

Cathleen "Cathy" Harrison

Janet Roberts

Phillip Swanson

Nadar M. Najm

Robert Clark

Joyce Marie Pearsall Smith

Stan Fowler

L. George Elias

Bill Schleich

Elaine Arnold

Ron Barbre

Roy William Behnke

Margaret Brown

Nancy Howitt

Dorothy Ernst

Fran Tyler

Norman Dennis Koch

John "Jack" Baugh

David Bryant

Nondis Marie Mooney

Gene Stelcik

Alfred Phil Bliss

Ronald Wanke

James Sugano

Clayton H. Lee

John Hance

Joeane Day

Robert Emmett Schneider

John (Jack) Baxter

Finlay Henderson

Lucy Estes

Austin Harmon

Jack Patrick

La Habra Hills Presbyterian Church

Geneva Presbyterian Church, Laguna Hills

Grace First Presbyterian Church, Long Beach

St. Peter's By-The-Sea PCUSA, Huntington Beach

Whittier Presbyterian Church

St. Andrew's Presbyterian Church, Newport Beach

St. Paul's Presbyterian Church, Anaheim

San Clemente Presbyterian Church

St. Peter's By-The-Sea PCUSA, Huntington Beach

Presbyterian Church of the Master, Mission Viejo

La Habra Hills Presbyterian Church

First Presbyterian Church, Santa Ana

First Presbyterian Church, Fullerton

St. Andrew's Presbyterian Church, Newport Beach

First Presbyterian Church, Fullerton

Grace First Presbyterian Church, Long Beach

San Clemente Presbyterian Church

Presbyterian Church of the Master, Mission Viejo

Grace First Presbyterian Church, Long Beach

Geneva Presbyterian Church, Laguna Hills

Community Presbyterian Church of La Mirada

Community Presbyterian Church of La Mirada

Community Presbyterian Church of La Mirada

Irvine Presbyterian Church

Tustin Presbyterian Church

East Whittier Presbyterian Church

First Presbyterian Church, Fullerton

Norwalk Presbyterian Church

Whittier Presbyterian Church

Grace First Presbyterian Church, Long Beach

Placentia Presbyterian Church

First Presbyterian Church, Fullerton

Geneva Presbyterian Church, Laguna Hills

First Presbyterian Church, Santa Ana

First Presbyterian Church, Westminster

First Presbyterian Church, Anaheim

Grace First Presbyterian Church, Long Beach

Trinity United Presbyterian Church, Santa Ana

Trinity United Presbyterian Church, Santa Ana

COMMITTEE ON MINISTRY

Reported as per G-11.0103N in the Book of Order

2010 SALARY REPORT (INDIVIDUAL)

			Full/ Part		12/31/2010			Life/Dis					Other	
NAME	Church	Position	Time	%	Church Size	Effective Salary	31.5% Pension	Medical Dental	Auto Travel	Study/ Cont. Ed.	Social Security	Med. Deduct.	Profess Expenses	Total Package
Allen	SA 1st	Pastor	Full		236	81,000	25,515	3,540		1,000			1,200	112,255
Arata	Grace 1st LB	Associate	Full		537	60,522	19,064			4,000		1,816	2,000	87,402
Avazian	Irvine	Associate	Full		758	88,900	28,004			1,300			1,800	120,004
Blankman	1st Downey	Pastor	Full		204	63,977	20,153		3,000	1,000	3,000			91,130
Bolsinger	San Clemente	Pastor	Full		1376	145,000	37,215	1,217		3,000			6,000	192,432
Bronzan	Good Shep	Associate	Full		736	64,100	20,192			1,500			2,000	87,792
Bullock	Irvine	Pastor	Full		758	118,000	34,791			1,500			2,400	156,691
Campbell	San Clemente	Associate	Full		1376	79,600	25,074	1,217		3,000			5,000	113,891
Chang	Irv Taiwan	Org Pastor	Full		70	62,700	19,751			1,000				83,451
Clelland	PCOM	Pastor	Full		1360	110,000	34,650		3,000	5,000			5,500	158,150
Collins	St. Mark	Pastor	Full		491	126,666	39,900		3,500	3,000				173,066
Conan	Christ Lake	Pastor	Full		144	72,165	22,732	1,400	2,500	1,000			3,500	103,297
Cramer	PLR	Associate PP	Full			80,000	25,200		3,000	1,000		2,000	3,000	114,200
Dykhuizen	Emmanual	Pastor	Full		26	62,184	19,588		3,000	1,500			500	86,772
Eckelmann	St. Andrews	Associate	Full		3142	130,000	34,710			2,500	8,170	5,200	1,200	181,780
Esaki	Wintersburg	Pastor	Full		510	89,703	28,256	3,099		1,000			1,600	123,658
Furman	1s Westmin	Pastor	Full		273	74,218	23,379	1,613	2,000	3,000		1,200	1,500	106,910
Geckeler	PLR	Stated Clerk	Full			82,500	25,988		3,000	3,000		2,000	3,000	119,488
Goodjoin	New Hope	Organizing	Full		NCD	79,800	25,137		4,000	1,500			2,000	112,437
Grange	St Peters	Pastor	Full		391	96,240	30,316		1,200	1,000			1,500	130,256
Halliday	St Pauls An	Pastor	Full		51	48,000	15,120	331	1,000	500				64,951
Hamburger	Trinity	Associate	Full		1496	81,600	25,704		2,000	1,500	6,242		3,000	120,046
Harmon	Placentia	Associate	Full		330	51,538	16,234		1,000	1,250	4,244	2,319	500	77,085
Hong	Shin II	Pastor	Full		75	48,000	15,120		2,000	1,000			3,000	69,120
Jimenez	SA 1st	Associate	Part	50%	236	27,650	10,866			500			500	39,516
Kalina	1st Anaheim	Pastor	Full		147	62,146	19,576		1,500	1,500	2,934			87,656
Kannwischer	St. Andrews	Pastor	Full		3142	225,000	47,656	2,881	13,300	2,700		9,000	2,900	303,437
Ko	Com La Mirada	Pastor	Full		177	53,500	16,853					2,000	3,648	76,000
Langworthy, A.	Cov LB	Associate	Part	75%	323	36,115	11,851		600	700				49,266
Langworthy, R.	Cov LB	Pastor	Full		323	71,343	23,186			1,000		1,426	5,000	101,955
Logan	Com LB	Pastor	Full		89	54,860	17,281			1,000				73,141
McCalmont	Covenant CM	Pastor	Full		242	69,950	22,034		750	1,000			1,200	94,934
D McColl	1st Fullerton	Pastor	Full		496	86,580	27,273	675		2,500	3,648	1,000	3,500	125,176
E McColl	LN	Associate	Part	75%	476	47,250	14,884		1,250	1,000		1,218	1,200	66,802
McCurdy, S	Morningside	Pastor	Full		134	63,860	20,116		600	850		2,500	942	88,868
McKeague	Trabuco	Pastor	Full		330	95,400	30,051	2,400	1,500	3,000		3,000	1,080	136,431
McReynolds	Norwalk	Pastor	Full		44	46,814	14,746	2,223	1,500	1,000				66,283
Mambu	Indonesian	Pastor	Full		141	48,000	15,120		4,800	1,000		1,330	1,000	71,250
Matthews	1st Fullerton	Associate	Full		496	59,885	18,864			2,500		1,000	2,000	84,249
Morales	Div Sav	Pastor	Full		81	50,000	15,750	1,500	3,000	1,000				71,250
Muresan	1st Westmin	Associate	Full		273	48,307	15,217		2,000	1,099			1,500	68,123

**PRD_ Post-Retirement Dues are 12 %
Minimum Salary for 2010 is \$48,000**

COMMITTEE ON MINISTRY

Reported as per G-11.0103N in the Book of Order

2010 SALARY REPORT (INDIVIDUAL)

			Full/		12/31/2010			Life/Dis					Other	
NAME	Church	Position	Part	%	Church	Effective	31.5%	Medical	Auto	Study/	Social	Med.	Profess	Total
			Time		Size	Salary	Pension	Dental	Travel	Cont. Ed.	Security	Deduct.	Expenses	Package
Naranjo	Getsemani	Supply	Full		NCD	37,500	11,813		1,000	2,000				52,313
Nelson	Whittier	Co-Pastor	Part	90%	102	50,000	15,750	1,286	2,000	1,500			1,000	71,536
Park, M.	Grace 1st LB	Associate	Full		537	60,522	19,064			4,000		1,816	2,000	87,402
Pfaff	La Habra	Pastor	Full		215	75,324	23,727	982	1,700	800	6,140		1,000	109,673
Presnall	First Orange	Pastor	Full		299	87,368	27,521		1,500	1,000		1,500	500	119,389
Prichard	Tustin	Pastor	Full		335	82,042	25,843			1,500		2,000	3,750	115,135
Pritchett	PCOM	Assoc	Full		1360	78,000	24,570						3,000	105,570
Purdy	Trinity	Assoc	Part	50%	1496	38,799	12,222	541	2,500				3,000	57,062
Raine	First GG	Pastor	Full		138	50,000	15,750		2,250	2,500		5,000	750	76,250
Rumble	E Whittier	Pastor	Full		171	67,492	21,260		1,500	1,000		1,454		92,706
Rumford	Trinity	Pastor	Full		1496	160,684	41,095		3,600	1,500		6,622	4,500	218,001
Shin	An K	Pastor	Full		153	48,000	6,996		6,000				1,000	61,996
Sizer	Laguna	Associate	Full		704	69,336	21,841			2,300		1,700	1,000	96,177
Smith	Canyon Hills	Associate	Full		464	59,453	18,728	1,217	3,156	1,000				83,554
Steele	Laguna Niguel	Pastor	Full		492	89,160	28,085	675	1,500	2,000			3,500	124,920
Stone	Tustin	Associate	Full		303	52,899	16,663		2,500	1,750		1,500		75,312
Stout	St. Andrews	Associate	Full		3142	83,149	26,986	1,712	2,520	2,500		3,326	1,200	121,393
Strommen	Geneva	Supply Assoc.	Full			55,000	17,808			1,000			1,000	74,808
Sweet	Laguna	Associate	Full		704	70,465	22,196			1,000		3,000	1,000	97,661
Tanizaki	Wintersburg	Associate	Full		516	75,018	23,631					2,100		100,749
Tankersley	Laguna	Pastor	Full		704	111,045	34,979			1,500		5,000		152,524
Throop	Placentia	Pastor	Full		330	88,723	27,948	362	800	1,250	7,276	3,993	500	130,852
Vaughn	SJC Comm	Pastor	Full		211	70,000	22,050		1,400	1,000			3,500	97,950
Wagner	Trinity	Associate	Full		1496	69,284	21,477		2,000	1,500	5,196		2,500	101,957
Wallman	Journey	Int. Pastor	Full			76,500	24,098	331	2,500	1,000		344	500	105,273
Watkins	Christ HB	Pastor	Full		553	98,677	31,083		2,000	1,000		1,000	2,300	136,060
Webster	Canyon Hills	Pastor	Full			98,540	31,040		2,000	3,000			1,000	135,580
Welch	Christ HB	Associate	Full		553	72,264	22,763		1,800	1,000		1,000	2,100	100,927
White, D.	Yorba Linda	Pastor	Full		350	109,683	33,757		2,000	1,000			2,000	148,440
White, P.	Good Shep	Associate	Full		736	76,100	23,972			1,500			2,500	104,072
Whitney	PCOM	Associate	Part	50%	1360	30,088	11,825		2,400	500			500	45,313
Wilson	Good Shep	Pastor	Full		736	101,100	31,847			1,500			2,500	136,947
Winslow	Irvine	Associate	Full		758	84,412	26,590			1,300			1,800	114,102
Wirth	Grace 1st LB	Pastor	Full		537	102,988	32,441	675		2,000		3,090	2,000	143,194
Wright	Village	Org. Pastor	Full		NCD	83,850	26,413	1,217	500	2,500		2,500	2,500	119,480
Yamaguchi	PLR	Executive	Full			104,000	31,721		4,600	3,500		3,000	4,500	151,321
Yee	St. Andrews	Associate	Full		3142	77,625	25,246	1,632	2,520	2,500		3,105	1,200	113,828

PRD_ Post-Retirement Dues are 12 %
 Minimum Salary for 2010 is \$48,000

COMMITTEE ON NOMINATIONS REPORT
NOVEMBER 17, 2011

NOMINATIONS	CLASS	COMMITTEE
Kathy Smith	2012	COM
Rv Mark Hong	2013	COM
Rv. Duncan McColl	2014	COM
Rv. Geoff Nelson	2014	COM
John Griffin	2014	COM
Rick Norton	2014	COM
Judy Combs	2014	CPM
Rv Geoff Pfaff	2012	CPM
Ed Bush	2014	CPM
Rv Josh Matthews	2014	CPM
Rv Frank Harmon	2013	SCT
Colette Cozean	2014	SCT
Nancy Pearson	2014	SCT
Lynn Taylor	2014	SCT
David Morse	2013	SRC
Bill Ewing	2014	SRC
Rob Ebert	2014	Trustees
Lanny Hawkinson	2014	Trustees
Rv John Skelly	2014	Trustees
Howard Hawkins	2014	Trustees
Rv John Huffman	2012	PJC

RESIGNATIONS

Rv. Jeff McCrory	CPM
Rv. Carolyn McOwen	CPM
Rv. Randy Steele	SMRT

Acknowledging that the Council has not been as proactive as it could have been to addressing the long term financial implications of Flipping the Presbytery—

The Presbytery Council brings the following Motions to the Presbytery:

Moved:

- 1) to adopt the 2012-2013 Budget as presented with commitment to seek ways to reconcile the small 2012 deficit;
- 2) to form a work team (similar to the Odyssey Group) for the purpose of addressing the question: "how does a flipped presbytery function financially?" {We "flipped the presbytery"-but failed to address the issue of how a flipped presbytery addresses the shifts in financial realities of the past and next decade.} The task is to take a long range view of financial developments in religious institutions, changes in giving patterns, options to existing "technologies", pressures on congregations-and to develop a cohesive, long term plan for fulfilling the presbytery's mission in 2014 and beyond within the financial assets available to the presbytery
- 3) the Task Force will report in a manner that allows recommendations to be incorporated into the budgeting process for the 2014-2015 Budget cycle
- 4) to the extent possible, the Task Force will attend the Bill Enright presentations in early 2012

The Task Force will be nominated by Steve Yamaguchi, Kirk Winslow, Kathy Sizer, and the newly elected Moderator Elect-and elected through an electronic meeting of the Presbytery Council.

THE PRESBYTERY OF LOS RANCHOS
2012 Proposed General Mission NARRATIVE BUDGET
Presentation to Council and November Presbytery

Following this Narrative Budget will be the actual Proposed General Mission Budget for 2012 (and projected for 2013). These documents have been prepared by the Budget Subcommittee of Trustees, the full Trustees, and the Presbytery Council. Note especially that this is a “unified” budget; the recommendation is to consolidate Mission and Operating Budgets into a single expense budget with multiple resource streams.

The following are the major headings of sections of the Mission Fund Budget along with a narrative description of “income” and “expenses”.

INCOME SECTION

1. General Mission—Presbytery Share. This amount is the share of denominational “unified” mission giving plus the gifts from congregations designated for presbytery’s budget. (includes #6 below in 2010, 2011, and 2012) This is money given for the shared mission/ministry of Los Ranchos congregations.
2. Per Capita—Presbytery Share. This is the annual per member apportionment based on Presbytery membership as of December 31, 2010. (Membership declined fewer than 100 members in 2010). This is the minimum contribution expected from each of our congregations to support presbytery mission.
3. Investment Income. This is anticipated income from unrestricted investments and funds. Trustees are moving toward a comprehensive investment policy that should guarantee consistent investment returns for the immediate future.
4. Other sources of funding.
 - a. Grants and other income from Synod and General Assembly, shared costs of ministries (e.g. chaplaincies), and income designated toward specific ministries (e.g. gifts & reimbursements).
 - b. Restricted Funds. Temporarily restricted by presbytery for specific uses (Sale of Property)—or restricted by congregations for specific ministries (e.g. OGHS and Joining Hearts and Hands)—or permanently restricted by donors. Funds restricted by congregations are noted on presbytery’s balance sheet as liabilities.
 - c. Sale of Property. Income from sale of South Gate. \$500,000 is helping in transition to new presbytery design. Balance of income and interest goes into “Sale of Property Fund” with money distributed according to determined formula: 50% for Congregational Development; 30% loans to congregations; 10% Leadership Development; 10% Salary Supplements. These represent a shift from “property asset” to “cash asset”. We hope to receive an additional \$2.5m (est.) net from the sale of El Siloe in 2012.
 - d. “Net Assets”. This is the new accounting term for what has traditionally been known as “balance” (“starting” and “ending”).

EXPENSE SECTION

1. **General Mission.** Primarily the programmatic, mission, and personnel costs of presbytery.
 - a. **Strategic Coordinating Team.** Oversees the following line items:
 - 1) “Healthy Congregations”. Support of projects to encourage and support “healthy congregations”. Resources, training, and consultants.
 - 2) “USC Chaplaincy”. Five presbytery program to provide chaplaincy presence at USC hospital—including CPE supervision.
 - 3) “Strategic Coordinating Team”. Support of Networks, Partnerships, new initiatives, resourcing presbytery. Youth Triennium and APSCE.
 - 4) “Demographic Support”. Underwriting of demographic information for use by congregations in planning and mission.
 - 5) “Leadership Development”. Along with money from Sale of Property Fund, provides for training of pastors, elders, and congregational leaders in obtaining specific skills for ministry.
 - 6) “Worldwide Mission Partnership”. Presbytery’s first Partnership links individuals for all congregations engaged in international mission and is liaison to our Kenyan partnership.
 - 7) Contract Staff: Media, Mission, and Hispanic Ministries
 - 8) Other Partnerships not funded through Mission Budget:
 - a. Bridging Borders; La Mission, Mexico and 5 congregations.
 - b. Ladera Ranch NCD. Presbytery and San Clemente.
 - c. All racial-ethnic congregations and fellowships.
 - d. Projects funded through Sale of Property Fund and Synod grant.
 - b. **Staff Relations.** Provides staff for all presbytery programs, ministries, support and services. Included are Presbytery Pastor, Associate Presbytery Pastor, Associate Presbytery Pastor/Stated Clerk, Administrative Coordinator, Finance Manager, Administrative Assistant and three contract staff.
2. **Administrative Expenses (Trustees)**
 - a. **Office Operations**
Audit, Computer, Copier, Software, Legal Expenses, Insurance, Custodial, Rent, Office Supplies, Postage, Paper, Telephone/Internet.
 - b. **Unpaid Per Capita**
 - c. **Depreciation**
3. **Expenses Related to Operating Units of Presbytery**
 - a. **Council:** Presbytery gatherings, SMRT, Retreat
 - b. **Committee on Ministry:** Training, interventions, scholarships, counseling, PNC’s, Presbytery Pastor’s meetings with ministers, Pastors’ Retreat, new pastor orientation.
 - c. **Committee on Preparation for Ministry:** Student Financial Aid, Retreat, counseling, Psychological Assessments, Candidates’ travel expenses.

FUNDS

Accounting practices require we separate funds in to

TEMPORARILY RESTRICTED: Designated by Presbytery for a specific purpose; the purpose may be modified in the future by action of the presbytery.

PERMANENTLY RESTRICTED: Restricted by donor and may only be used according to donor's restrictions.

UNRESTRICTED: Money received for the General Mission Budget of the presbytery.

In addition to the General Mission Fund of the presbytery (unrestricted) we also have:

Sale of Property Fund

Money from the sale of property (closed congregations) is accounted for as "presbytery restricted" assets divided into four "sub-funds":

1. **Church Development** (50% of all proceeds into their own fund). Oversight and distribution by Strategic Coordinating Team. For support of redevelopment, new church development, transformation grants, etc.
2. **Building/Deferred Maintenance** (30% of all proceeds). Oversight and distribution by Trustees. A "shared" program wherein presbytery will provide funding for "deferred maintenance" expenses (repairs under \$100,000); 50% to be repaid within five years and the balance a grant.
3. **Leadership Development.** (10% of proceeds). Oversight and distribution by Council. Preparing leaders for missional churches. Training opportunities. Internships for candidates under care.
4. **Pastor's Compensation.** (10% of proceeds.) Oversight and distribution by Committee on Ministry. Bring compensation up to presbytery minimum; medical offsets in cases of extreme medical need.

Trustees anticipate an infusion of at least \$2.5m early in 2012 from sale of El Siloe property.

Saint John's Compton Fund

Funds available from the sale of churches in Long Beach/Los Angeles presbytery which are presbytery restricted for African-American New Church Development. Presently, it is the primary presbytery source of funding for New Hope Presbyterian Church in Orange.

Synod Grant

In 2010, Synod granted each presbytery \$200,000 as a "fair share" of the proceeds of sale of the Wilshire office property. Full amount will be received as of first quarter of 2012.

Council recommended and Presbytery approved \$30,000 for replacement of the accounting software that would not be supported after 12/31/2011. It included reconstruction of Chart of Accounts, rollover of 2008-2010 data, set up of payroll, training of Administrative Assistant for Finance. Once in place, it will cost about \$2000 less per year for support—and provide unlimited ability to design budgets, reports, and other tools. \$10,000 will assist with expenses of Consultant for Hispanic Ministries

The Strategic Coordinating Team is preparing guidelines for distribution of funds—and process for applying for the \$160,000 balance in this fund. It is being managed as a presbytery restricted fund.

Endowment

Permanently restricted by donors for permanent investment, with the proceeds from interest available for mission budget.

Candidate Scholarship

Donor restricted at the time of ordinations/installations to be used solely for providing scholarship for seminary students under care of this presbytery.

Samaritan Fund

Donor restricted for the purpose of assisting pastors in time of crisis or special need. Primary sources of funding are individual session and Presbytery golf tournament.

Joining Hearts and Hands

Donor restricted funds for new church development. Most of remaining funds are committed to Ladera Ranch NCD, with some funds still committed to Downey Multi-cultural ministry.

An example of a change in “Temporarily Restricted” funding was a proposal by Council, approved by presbytery, to utilize \$500,000 from the sale of the South Gate property to address personnel costs in 2010, 2011, and 2012.

The Council also recommended and presbytery approved diverting the interest from the note we are carrying on the South Gate property to provide an additional \$20,000 of revenue for the Mission Budget in 2011 and 2012.

PRESBYTERY BUDGETS 2011-2013

ACCOUNT	2011 Budget	Proposed 2012	Projected 2013
INCOME			
General Mission Pledges	\$506,000.00	\$510,000.00	\$500,000.00
Per Capita Apportionment	\$275,000.00	\$313,376.00	\$313,376.00
Investment Income/Other	\$52,500.00	\$45,000.00	\$40,000.00
INCOME TOTAL	\$833,500.00	\$868,376.00	\$853,376.00
EXPENSES			
<i>Building Healthy Congregations</i>	\$6,000.00	\$6,000.00	\$6,000.00
<i>Consultant for Hispanic Ministries</i>	\$10,000.00	\$10,000.00	\$0.00
<i>LA County/USC Hospital Chaplaincy</i>	\$15,500.00	\$15,500.00	\$15,500.00
<i>SCT Partnerships</i>	\$18,000.00	\$4,000.00	\$14,000.00
<i>Demographic Support</i>	\$8,500.00	\$7,500.00	\$7,500.00
<i>Leadership Dev</i>	\$10,000.00	\$5,000.00	\$5,000.00
<i>Worldwide Mission (WWM) Partnership</i>	\$26,250.00	\$25,500.00	\$25,000.00
Transitional Ministry	\$6,000.00	\$0.00	\$0.00
Trustees (p 2)	\$142,800.00	\$138,400.00	\$138,400.00
Council (p 2)	\$8,500.00	\$8,000.00	\$7,500.00
COM (Committee on Ministry) (p 3)	\$8,950.00	\$9,700.00	\$9,700.00
CPM (Preparation for Ministry) (p 3)	\$13,500.00	\$12,000.00	\$12,000.00
Staff Relations (p. 4)	\$687,734.00	\$697,157.00	\$693,257.00
		<i>Staff Relations in 2009 was \$850,340</i>	
EXPENSE TOTAL	\$961,734.00	\$938,757.00	\$933,857.00
Surplus (deficit)	(\$128,234.00)	(\$70,281.00)	(\$80,581.00)
Odyssey Investment (South Gate Proceeds)	\$150,000.00	\$100,000.00	\$0.00
FINAL NET	\$21,766.00	\$29,719.00	(\$80,581.00)
Beginning Balances as of January 1	\$45,179.00	\$66,945.00	\$96,664.00
Net Assets as of December 31	\$66,945.00	\$96,664.00	\$16,083.00

Per Capita: 2011~19,600 members X \$14.05; 2012~19,586 members X \$16.00 = \$313,376; 2013~TBD

TRUSTEES/OPERATING EXPENSES				
ACCOUNT	2011	Actual 10/31	Proposed 2012	Projected 2013
Audit/Accounting	\$12,000.00	\$5,527.00	\$12,000.00	\$12,000.00
Computer Support	\$12,000.00	\$3,340.00	\$9,500.00	\$9,500.00
Copier Expenses	\$18,000.00	\$15,154.00	\$17,000.00	\$17,000.00
Equipment Maintenance	\$3,000.00	\$75.00	\$2,500.00	\$2,500.00
Accounting Software Support	\$6,000.00	\$4,316.00	\$4,000.00	\$4,000.00
Legal Expenses	\$8,000.00	\$6,103.00	\$8,500.00	\$9,000.00
Property/Liability Insur	\$10,000.00	\$11,126.00	\$11,000.00	\$11,000.00
Custodial Services	\$6,800.00	\$4,950.00	\$7,000.00	\$7,200.00
Facilities Maintenance	\$2,500.00	\$410.00	\$1,500.00	\$1,500.00
Office Supplies	\$12,000.00	\$13,330.00	\$12,500.00	\$12,500.00
Postage	\$12,000.00	\$7,704.00	\$12,000.00	\$12,000.00
Paper and Printing	\$2,000.00	\$1,924.00	\$2,500.00	\$2,500.00
Office Rent	\$18,900.00	\$15,750.00	\$20,000.00	\$20,000.00
Telephone/Internet	\$9,000.00	\$3,987.00	\$6,000.00	\$6,000.00
Pby Moderator Exp	\$1,600.00	\$47.00	\$2,400.00	\$1,800.00
Allow for Unpaid PC	\$8,000.00	\$0.00	\$10,000.00	\$10,000.00
Sub-Total: TRUSTEES	\$141,800.00	\$93,743.00	\$138,400.00	\$138,500.00
Non Cash (Depreciation)	\$13,000.00	\$13,212.00	\$12,500.00	\$12,000.00
PRESBYTERY COMMITTEES				
COUNCIL	2011	Actual 10/31	Proposed 2012	Projected 2013
Presbytery Gatherings	\$2,000.00	\$2,394.00	\$2,500.00	\$2,500.00
Media Support	\$2,000.00	\$0.00	\$500.00	\$500.00
Retreat	\$500.00	\$0.00	\$500.00	\$500.00
Presbytery Speakers	\$2,500.00	\$0.00	\$1,000.00	\$1,000.00
PJC/AC	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00
Contingency	\$500.00	\$161.00	\$500.00	\$500.00
Sexual Misconduct Response Team	\$1,000.00	\$1,809.00	\$2,000.00	\$2,000.00
Sub-total COUNCIL	\$9,500.00	\$4,364.00	\$8,000.00	\$8,000.00

COMMITTEE ON MINISTRY	2011	Actual 10/31	Proposed 2012	Projected 2013
Committee Meetings	\$1,200.00	\$502.00	\$1,000.00	\$1,000.00
PP Meals w Pastors	\$1,500.00	\$1,708.00	\$1,700.00	\$1,700.00
Sub-committees	\$500.00	\$303.00	\$500.00	\$500.00
Pastoral Care & Ed	\$750.00	\$1,038.00	\$1,500.00	\$1,500.00
Coaching	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00
Spring Pastors' Retreat Exp	\$4,000.00	\$8,327.00	\$3,000.00	\$3,000.00
Spring Pastors' Retreat Income	\$0.00	\$8,890.00	\$0.00	\$0.00
Sub-Total: COM	\$8,950.00	\$2,988.00	\$8,700.00	\$8,700.00
<i>[Retreat Net Cost]</i>		\$563.00		
PREPARATION FOR MINISTRY				
Psychological Assessment	\$4,000.00	\$4,935.00	\$4,000.00	\$4,000.00
PA Reimbursed Costs	\$0.00	(\$1,465.00)	\$0.00	\$0.00
Candidate Travel	\$2,500.00	\$500.00	\$1,500.00	\$1,500.00
Committee meetings/retreats	\$1,000.00	\$16.00	\$1,000.00	\$1,000.00
Candidates Financial Aid/Counseling	\$2,000.00	\$0.00	\$2,000.00	\$2,000.00
Scholarships	\$3,000.00	\$3,000.00*	\$3,000.00	\$3,000.00
Contingency	\$1,000.00	\$0.00	\$500.00	\$500.00
Sub-total CPM	\$13,500.00	\$6,986.00	\$12,000.00	\$12,000.00

*Plus \$4,500 from Candidate Scholarship Fund from Ordinations and Installations

NOTICE OF REMEDIAL COMPLAINT

On October 14, 2011, I received in my office via Certified Mail a "Statement of Complaint" signed by thirty two member/commissioners of the Presbytery of Los Ranchos alleging an irregularity at the September 15, 2011 meeting of this presbytery. The action in question was the adoption of a "Response to 10-A", a "...statement interpreting this presbytery's understanding of certain behavioral expectations of members."

The complainants allege that the action was irregular in the following particulars:

By this action the Presbytery of Los Ranchos is restating the Constitution and therefore obstructing the ongoing interpretation and implementation of the Constitution. PJC (Bush v. Presbytery of Pittsburgh, 2008)

By this action the Presbytery attempts to define, diminish, augment and/or modify standards for ordination and installation of church officers. PJC (Bush v. Presbytery of Pittsburgh, 2008)

The Presbytery of Los Ranchos is defining in advance "essentials" and declaring failure to adhere to these mandated essentials a bar to ordination and installation. . PJC (Buescher, et al. v. Presbytery of Olympia, 2008)

In addition a Request for a Stay of Enforcement was filed concurrently with the complaint asserting the above arguments regarding constitutionality and asserting the harm that would occur if the action was not stayed would be

(1) Notice of this policy will cause substantial confusion and serious conflict among our churches and their members regarding the essentials for ordination and installation of teaching elders by the Presbytery and ruling elders and deacons by the congregations.

(2) Teaching elders who may want to join our Presbytery will be dissuaded from seeking membership in the Presbytery of Los Ranchos.

The Presbytery received word on Thursday, November 3rd, that a Stay had been granted under the provisions of D-6.0103.

The Docket Committee of Council, acting under the provisions of Standing Rule 7.4, appointed the following Committee of Counsel to represent the presbytery in this complaint: D-6.0302: Teaching Elders Gary Watkins (Huntington Beach Christ) and Emily McColl (Laguna Niguel) and Ruling Elder Neal Wells (St. Andrew's) (Attorney). They had their initial meeting on Wednesday, November 2 and have become preparing a response on behalf of the presbytery. A response to the complaint will be filed by November 29th and to the Stay by 45 days following receipt of a physical copy of the Stay itself.

The above is presented to the presbytery for information only. All appropriate steps are being taken under the oversight of the Presbytery Council and the Stated Clerk's office. While in judicial process, there is nothing more that the presbytery may do (other than vote to rescind the action). Until such time as the PJC acts upon its Stay of Enforcement, the action related to 10-A has no standing within the presbytery.

REGARDING LEGAL ISSUES

THE RELATIONSHIP BETWEEN PRESBYTERY AND CONGREGATIONS WHEN CONTRACTS AND OTHER LEGAL CONCERNS ARISE

For November 2011 Presbytery

It is now common for congregations to be confronted with myriad issues requiring legal or accounting advice and counsel: leases, property, cell towers, by-laws, lawsuits, zoning, severance agreements, tax exemptions, media, etc. Because many overlap with the fiduciary responsibilities of the presbytery, the question of legal representation and expense has become a concern that the presbytery wishes to address below.

1. The Presbytery of Los Ranchos maintains an ongoing relationship with specific attorneys and accountants with expertise in legal and accounting areas in which the presbytery is most often involved: property, personnel, taxes, employment, and litigation. In addition, we carry insurance that will provide legal services for the presbytery in a number of contexts—and expect congregations to have similar coverage. These professionals are employed on an hourly, as needed basis, for specific purposes and situations, and we are billed accordingly.
2. Many congregations also have attorneys and CPA's who are members—or have relationships with attorneys and/or CPA's who will provide services at reduced rates or have served them capably in the past and thus the session is comfortable employing them as needed.
3. The Presbytery staff are not licensed attorneys or CPA's and thus are not permitted to provide legal or accounting opinions or advice. They can provide general understanding of legal and accounting issues and share from experience and training, but will always present a disclaimer that they cannot provide professional advice or opinions and will indicate if and when the congregation/individual should seek professional advice and counsel.

In the course of business, the presbytery and congregations will often find their concerns and issues overlapping. Presbytery is required to approve leases—meaning congregations must have leases with outside groups using their facilities. If the property is to be encumbered, presbytery must approve. If a church is facing a potential lawsuit, issues of insurance and presbytery as a named party emerge. A church confronts a personnel issue that may involve the presbytery. A matter comes up regarding IRS regulations of not-for-profit corporations. Rewriting By-Laws may result in the need for clarification on matters governed by state not for profit laws.

In these situations, the question of who “benefits” becomes important in determining the selection of legal/accounting professionals and the responsibility for payment. To this end, the Presbytery of Los Ranchos adopts the following guidelines:

- 1) The presbytery will enter into contracts with attorneys/CPA's on an as needed basis and will pay for such services when the contracting is clearly initiated by presbytery and the counsel sought is clearly to protect the fiduciary

responsibilities of the Trustees and the corporate officers and the assets of the presbytery.

- 2) A congregation/session is always an independent agent in matters of securing legal/accounting services. It should always secure a contract for services before initiating consultation and/or production of product by an attorney or CPA. It must clearly understand that it is responsible for payment of services provided.
- 3) In many cases, the presbytery's attorney/CPA will have to approve a work product before the Trustees will approve the document/agreement. Presbytery will pay for that service. If presbytery's attorney/CPA requires additional work by the congregation's attorney/CPA before recommending Trustee approval, the cost of the additional work will be borne by the congregation.
 - a. This gives rise to the potential situation where it will be advantageous (less expensive) to have the presbytery's usual attorney/CPA providing the legal/accounting services needed by the church¹. If the church chooses to utilize the presbytery's usual attorney/CPA, **the cost for any and all services provided will be borne by the church**. If this is not an acceptable arrangement, the church is always free to engage the services of their own attorney/CPA.
 - b. The same is true in contracting with attorney/CPA for acting as negotiating agent in legal matters. The presbytery's only issue is that the final agreement meet the fiduciary requirements for presbytery approval. Any expenses generated in producing such an agreement are the **sole responsibility of the congregation**. **[This will include any revisions to a negotiated contract/settlement which are necessary before the Trustees will approve the contract/settlement.]**
 - c. With one exception, the presbytery will not recommend or require that a congregation use the same attorneys/accountants used by the presbytery². But if asked, the presbytery will provide the names of its attorneys/CPA's with skills/expertise in a specific area of concern.

There will be situations in which the presbytery, in order to protect its "interests" will intervene to secure legal/accounting advice and counsel. In such cases, it will do so without expectation of reimbursement by the church involved. **The presbytery will be clear with the congregation and attorney when the presbytery is to be billed directly. Without presbytery's written direction that it is covering the costs of professional services, the costs will be borne by the congregation.**

¹ Often, presbytery's attorney will have boilerplate contracts or other legal documents that can be customized for a particular situation—producing significant savings and accelerating the process. An accountant may have software and other recommendations that reduce time and outsourcing costs. The presbytery's attorney may have years of experience dealing with a specific situation that is "first time" to the church—and thus able to provide more effective representation at lower costs. The presbytery's attorneys/CPA's will sometimes provide reduced rates to churches for personal or professional reasons.

² The one exception is for severance agreements with pastors. The presbytery will provide the severance agreement at its own expense.

PRESBYTERY OF LOS RANCHOS GUIDELINES FOR
“DESIGNATED PASTORS” AND “INTERIM MINISTRIES”

The Committee on Ministry of the Presbytery of Los Ranchos, as a result of the adoption of a revised *Form of Government*, recommends that the Presbytery adopt the following as the first in a series of guidelines that will become part of the “Manual” governing the functions set forth in the *Form of Government* regarding the relationship between the presbytery, congregations, and teaching elders.

DESIGNATED PASTORS:

1. A “Designated Pastoral Relationship”, full or part-time, pastor or associate pastor, is a call to a Teaching Elder to a position established by the presbytery of a term of not less than two nor more than four years. The congregation and Teaching Elder must both have agreed to be considered for a designated pastoral relationship. A congregational “Pastor Nominating Committee” shall nominate to the congregation for its consideration and vote, a Teaching Elder only from among those Teaching Elders designated to it by the presbytery through the committee responsible for pastoral relations. A Designated Pastor is installed by the presbytery and is a member of the session. An Intentional Interim may not become the Designated Pastor or Designated Associate Pastor of a congregation they have served within the past three years.
2. The call is renewable anytime after the second year for periods of not more than 12 months. The terms of call may not be changed except by consent of the presbytery. If not called as installed pastor after 3 ½ years, the relationship shall be terminated at the end of the contract then in place.
3. If there was an open search process* in calling the Designated Pastor (#1), after at least two years, and with the concurrence of the presbytery’s delegated committee, the pastor and session, acting as the pastor nominating committee solely for the purpose of calling the designated pastor as pastor, a congregational meeting may be called to vote on that recommendation. If the congregational action is affirmative, the presbytery shall act on a request to approve the new pastoral relationship and shall install the designated pastor as Pastor or Associate Pastor.

* i.e. “non-discriminatory”

In Summary:

1. COM must approve the position.
2. A congregation must vote to agree to participate in this type pastoral relationship.
3. The Designated Pastor is nominated by a Pastor Nominating Committee elected by the congregation.
4. The Pastor Nominating Committee considers ONLY those applicants designated by the committee responsible for pastoral relations. The pastors on the list must agree to be considered for a Designated Pastor position.
5. The congregation elects the Designated Pastor for a term of not less than two years nor more than four years.
6. The Designated Pastor is installed by presbytery and is moderator of the Session.

7. An Intentional Interim Pastor serving the congregation is not eligible for consideration as the Designated Pastor.
8. After at least two years of service, the Session may recommend that the Designated Pastor become the next installed pastor. Presbytery and the Congregation must concur in this recommendation. Session and Presbytery may also continue the Designated Pastor relationship up to 4 years with a clear understanding that the individual will not be called as the Installed pastor.
9. If the call is terminated before the end of four years, then the usual dissolution procedures for an Installed Pastor shall be followed. Notice of non-renewal shall be a factor in determining any financial arrangements at dissolution.

TEMPORARY PASTORAL RELATIONSHIPS AND INTENTIONAL INTERIMS

Recognizing that there are different roles and tasks to be undertaken in different Temporary Pastor Relationships, the Presbytery of Los Ranchos affirms the creation of the following “Temporary Pastoral Relationships” G-2.0504b.

“Intentional Interim”. An Intentional Interim is called by the session to serve as pastor, co-pastor, or associate pastor when the congregation is without an installed pastor. An Intentional Interim relationship may not be established or dissolved without concurrence of the presbytery. An Intentional Interim Pastor must have successfully completed Basic Interim Ministry education, offered by several interim ministry education sites of the Presbyterian Church (USA) as Week I and Week II, or begin obtaining such during their first year of service as an interim pastor. Additional training is available in specialized skills (e.g., conflict management, ‘after pastor’ training, et cetera) in this specialized field of ministry. Intentional Interims are contracted to guide the congregation in engaging in those tasks necessary to equip and enable the congregation to welcome their next installed pastor. The Intentional Interim’s contract is for up to 12 months, is renewable with approval of presbytery, and shall include provision for financial support at the conclusion of their service. **Intentional Interims may not, under any circumstances, be considered as the next installed pastor of the church they are serving.**

Temporary Interim Pastors. With the approval of Presbytery, Session may contract with individuals (teaching elders, candidate or commissioned ruling elder) to serve as a Temporary Interim Pastor, Temporary Interim Associate Pastor, or Temporary Interim Co-Pastor. Normally, these calls will be to a position in which there are not the “transitional issues” that require an Intentional Interim. (e.g. Associate positions or following an extended Intentional Interim, when pastor is temporarily unable to perform pastoral functions, or as a “bridge” until an Intentional Interim can be called, etc) Interim contracts are for up to one year, may be renewed with the approval of presbytery, and may or may not include provisions for support at the conclusion of their service. Following twenty four consecutive months as a temporary interim, a teaching elder may be considered for the installed pastor position, subject to the provisions of G-2.0504c.

Supply Pastors. Supply pastors serve congregations in which there is no active search for an installed pastor. (e.g. there is no pastor nominating committee in place, the church is not paying vacancy dues for a pastoral position, and the congregation does not anticipate calling a pastor to an installed position). Supply Pastors are appointed by presbytery in consultation with the session, and their services shall be governed by a contract of not more than 12 months at a time, renewable with the approval of the presbytery. Normally, they will serve as Moderator of

the session and congregation. If the congregation votes to create an installed position, the Supply Pastor shall be governed by the provisions of G-2.0504c.

First Responder: A form of Temporary Interim. These are trained Interim Pastors who have taken advanced work to become “First Responders”. They may be used: between departure of installed pastor and arrival of contracted Intentional Interim; while a pastor is on leave—for medical, study, or other reasons; following sudden death or chronic illness of pastor. The defining nature of this position is that it shall be for 2-4 months—and may only be extended two additional months.

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Laboring Inside/Outside the Bounds

[Another “learning moment” and the new Form of Government]

The old Form of Government, G-11.0401a, read: “...no presbytery shall permit a minister to engage in work which is within the geographic bounds of another presbytery and which is properly within the responsibility of another presbytery without the consent of the other presbytery.” By custom, this included any form of “temporary” pastoral service, including performing weddings in another presbytery.

The new Form of Government anticipated that “non geographic” presbyteries would make this wording unenforceable. It is thus eliminated in the new Form of Government.

On another level, “professional courtesy” would suggest that if you are going to perform a “ministerial function” in a church in another presbytery, you would still need to get permission to do so; and if you were to engage in some form of significant ministry within the bounds of another presbytery (e.g. serving a church for a month or more, engaging in ongoing consultations, ministry that involved regular administration of sacraments), it would be appropriate to notify the other presbytery of your presence and the work in which you are engaged.

Proposed Revised Process for Electing GA Commissioners

The following individuals met on Sunday, October 30, 2011 for the purpose of reviewing the Presbytery of Los Ranchos procedures for electing commissioners to General Assembly, to compare that process with that used by other presbyteries, and, if appropriate, to propose a possible new process to meet the current realities of this presbytery.

Rev. Kathy Sizer, Moderator of Presbytery; Rev. Rick Headley, Moderator of the Nominating Committee; Rev. Cheryl Raine, former commissioner; Ruling Elder Neal Wells, St. Andrew's PC; Ruling Elder Sue Currie, Tustin; Rev. Keith Geckeler, staff.

This is a change in Policy, not Standing Rules, so does not require two readings.

Key Goals:

- Increase the number of individuals actively seeking to become a commissioner.
- To bring to presbytery the best representatives of the presbytery possible (i.e. our "best and brightest")
- To bring to the presbytery people who have a sense of "call" to serve as a commissioner. {Either personal sense of call or community validated call.}
- To make sure potential commissioners clearly understand the expectations of serving as a commissioner.
- To insure that candidates represent the diversity of the presbytery.

I. There shall be a two-fold process for creating a pool of potential commissioners.

A. Open Opportunity

1. In the Fall prior to General Assembly, the Stated Clerk shall send to all session moderators and clerks a request to invite ruling elders who feel so called to submit to the session an application to become a commissioner. The session would then act to endorse the application to the Nominating Committee.
2. In the Fall prior to General Assembly, the Stated Clerk shall send to all teaching elders a request, should they feel so called, to submit to the session a commissioner application. The session shall then send the endorsed application to the Nominating Committee.

B. Corporate Discernment

1. In the Fall prior to General Assembly, the Nominating Committee shall designate four of their members to serve on the GA Commissioner Nominating Team. The four shall then recruit three additional members from among commissioners who attended one of the three most recent General Assemblies. The seven individuals should be representative of the presbytery. A Presbytery Pastor shall staff this Team.
2. This group shall create a "rotational" listing of congregations from which they shall seek to discern leaders whom they believe would make excellent GA commissioners. [These persons may come from those who

come to the committee's attention through A1 above—or from any other process able to identify the best possible persons.] This list shall include up to 5 small congregations (up to average worship of 100), 5 medium sized congregations (average worship up to 250), and 5 large churches (average worship above 250) to encourage representation of congregations.

a. These names shall be divided among team members and presbytery pastoral staff and personal calls made to invite and encourage these teaching and ruling elders to submit applications (if they have not already done so).

II. Discernment Process

- A. All potential commissioners will be invited to attend a discernment event that clearly identifies the recommended skills and abilities as well as responsibilities of commissioners to be elected by Los Ranchos Presbytery. Here is a preliminary list of skills and abilities as well as responsibilities:
- i. Computer Skills (All business is conducted electronically)
 - ii. Organized/Self Disciplined (volume of information and details)
 - iii. Ability and readiness for public speaking (at GA and interpreting GA decisions within Los Ranchos)
 - iv. Commissioner duties as assigned within the Presbytery until the following GA (up to two years)
 - v. Commitment to training and preparation for the GA
- B. The committee shall also bring to the candidates' attention the requirements of F-1.0403 (diversity and inclusiveness.)
- C. All candidates must have been a member of the presbytery for at least two years—but there are no other length-of-service requirements.
- D. Ordinarily no congregation shall have more than one candidate for commissioner.

III. Nominations

- A. The Nominating Team shall bring to the presbytery the list of candidates who participated in this process, presenting them according to the requirements of F-1.0403.
- B. The nominees shall be introduced via the endorsement letter from their session—and time during Open Space will be given for personal introductions, speeches and questions from the Presbytery.
- C. Nominations from the floor are permitted—provided the individual nominated has agreed to serve. If the nominee has not provided the same documents as other candidates prior to the day of voting, such oversight shall be called to the attention of the body prior to election.
- D. Presbyters shall vote for the permitted number of teaching elders and permitted number of ruling elders.
- E. The permitted number receiving the most votes shall be elected commissioners. Those receiving the next most shall be first alternate and the next most shall be second alternate.

IV. YAD's

YAD's shall be elected via a process of soliciting names from sessions, review per above, and nomination to the floor of presbytery.

Representational Factors for Nominating Committee to Consider in Discernment

Age---Gender---Size of Congregation---Disability—Theological Conviction—Ethnicity—
Service to Congregation/Presbytery—Types of Ministry (e.g. HR and Validated)

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