



By-Laws of The Congregation
First Presbyterian Church, Bakersfield, California

Preamble

The congregation of First Presbyterian Church, Bakersfield, California was first organized as a church on April 15, 1906. It does hereby enact the following By-Laws for the government of the church as an ecclesiastical body, and all previous By-Laws designated for this purpose are revoked as of June 12, 2022.

ARTICLE I

NAME

1. The name of the congregation shall be First Presbyterian Church, Bakersfield, California.
2. Principal Office. The principal office for the transaction of the business of this church, including the corporate affairs, shall be at:

1705 17th Street
Bakersfield, California 93301
3. Fiscal Year. The Fiscal Year shall be the calendar year.
4. Program Year. The Program Year shall be from July 1 – June 30, and shall include the term of church officers.

ARTICLE II

ECCLESIASTICAL CONNECTION AND CONSTITUTION

1. The church, being a part of the Presbytery of the Pacific Southwest and the Evangelical Presbyterian Church, is governed by the then current edition of the Constitution of the Evangelical Presbyterian Church.

ARTICLE III

CONGREGATIONAL MEETINGS

1. There shall be one regular meeting of the congregation annually, on a date in June, as authorized by the session (“Annual Meeting”). The Annual Meeting shall include the electing of Ruling Elders and Deacons, electing the congregation’s contingent to the Nominating Committee (Article VII.1.c), and the transaction of other necessary business.
2. Special congregational meetings shall be called by the session, by the Presbytery of the Pacific Southwest or when requested in writing by one fifth of the church membership. **(G.7-1)** Action shall be confined to business specified in the call. **(G.7-3)**
3. All congregational meetings shall be called by the session by giving public notice of the time, place and purpose of the meeting from the pulpit and in all general church publications on two successive Sundays prior to the appointed time. The meeting may be conducted on the same day the second notice is given. **(G.7-2)**

4. The pastor, who is the moderator of session, shall preside at all congregational meetings, with the following exceptions **(G.7-4A)**:
 - a. When the church is without a pastor, a Minister of the Presbytery may be appointed by the Presbytery of the Pacific Southwest to preside at the congregational meeting **(G.7-4B.2)**.
 - b. If it is impractical or unwise for the pastor to be the moderator, the session with the concurrence of the pastor may appoint the Clerk of Session or one of its members to call the meeting to order and to preside. **(G.7-4B.1)**
5. The Clerk of Session shall be the clerk of meetings of the congregation. **(G.7-6A)** If the Clerk of Session is unable to attend, the moderator of the session shall appoint a temporary clerk **(G.7-6B)**. The clerk shall keep an accurate record of the proceedings at congregational meetings. Notwithstanding the forgoing, the clerk may appoint a recording secretary to take notes necessary to assemble the meeting minutes, but such recording secretary shall have no power except to assist the clerk in the clerk's duties. The clerk shall sign the minutes of a congregational meeting, which shall be referred to the Church Session for approval and, upon approval, shall be incorporated into the minutes of that body. **(G.7-6C)**
6. Congregational meetings shall be conducted in accordance with the rules of governing bodies adopted by the General Assembly of the Evangelical Presbyterian Church, so far as they apply, and when they do not apply, according to the usual legislative rules of order. Unless otherwise prescribed by the *Book of Order*, the body will operate by parliamentary procedures in Roberts Rules of Order (Newly Revised).
7. All congregational meetings shall be opened and closed with prayer.
8. A quorum shall consist of one-tenth (1/10) of the members, but not less than 20 **(G.7-5)**.

ARTICLE IV

VOTING MEMBERSHIP

1. All active members in good and regular standing as determined by the session, but no others, are entitled to vote at congregational meetings. The moderator may not vote. **(G.7-7)**
2. Voting by proxy is not allowed.

ARTICLE V

BOARDS OF THE CHURCH

1. The Session.
 - a. Membership. The session consists of the pastor or co-pastors, associate pastors and eighteen (18) ruling elders. A ruling elder's term shall be three (3) years. **(G.9-15A)** A ruling elder may serve consecutive terms, either full or partial, aggregating not more than six (6) years. A ruling elder will be ineligible to serve a further term until at least one (1) year has elapsed from the expiration of the last term for which he/she was elected. **(G.9-15B)** All members of the session, including the pastor, co-pastors and associate pastors are entitled to vote. **(G.18-1)**
 - b. Classes. The congregation shall elect up to six (6) active members as ruling elders each year at the Annual Meeting.
 - c. Meetings. Stated meetings of the session shall be held according to a calendar adopted by the session at its first meeting. Special meetings may be called by the moderator, on his/her own initiative, when directed by the Presbytery of the Pacific Southwest, or at the written request of one-fourth (1/4) of the members of the session. Two ruling elders and the moderator shall be necessary to constitute a quorum for the transaction of business. A minimum of seven (7) days' notice shall be given to all the session members prior to all special meetings, with the exception of receiving members. **(G.18-4)**
 - d. Powers and Duties. The session is responsible for the mission and government of the church. Its specific responsibilities and powers are stated in the *Book of Order*, **(G.18-3)**.

e. Officers of the Session

- (1) Moderator. The pastor of the church shall be the moderator of the session. **(G.18-2A)** The pastor is a full member of the session and has the privilege of voting. If the pastor wishes to make a motion or otherwise participate in debate, some other member of the session should serve as temporary moderator. **(G.18-2A.4)**
 - (2) Clerk. The session shall elect a clerk at its first meeting. The responsibilities of the clerk shall include those set forth in **G.18-2B**. The clerk must be a Ruling Elder, but does not need to be currently serving on the Session.
 - (3) Treasurer. The session shall elect a treasurer at its first meeting. The treasurer shall encourage the use of the best financial principles and procedures by all treasurers or other persons handling funds of the congregation, the church school, or other societies of the local church.
- f. Commissioners to Presbytery. The session shall elect at its meeting in August or at an appropriate meeting prior to any meeting of the Presbytery of the Pacific Southwest, ruling elders to represent the congregation as commissioners to the Presbytery of the Pacific Southwest for a term of one year or for an individual meeting as it deems appropriate. The number of commissioners shall be equal to that allowed by the *Book of Order*. **(G.19-2A.4)**
- g. Committees. The session may establish such permanent committees, as it deems necessary. These committees may include Property and Maintenance; Finance; Music and Worship; Discipleship; Missions; Personnel; and Membership and Fellowship. The moderator shall appoint committee chairs, who shall be an active ruling elder, and the elder delegates to each committee. The committee chair shall appoint other committee members. The appointment of committee chairs, elder delegates, and other committee members shall be subject to ratification by a two-thirds majority vote of the session at its first regular meeting and other regular meetings as necessary.
- h. Vacancies. Vacancies on the session may be filled at a regular or special meeting of the congregation as the session may determine. The Clerk of Session and the pastor shall confer with any member of the session who has been absent two stated meetings in one program year to ascertain his/her ability and desire to continue serving on the session. A member may be removed for cause in accordance with the *Book of Order*.
- i. All ruling elders shall normally be elected by the congregation at the Annual Meeting, and shall be ordained and installed on a Sunday prior to the August meeting of the session. All current and newly elected ruling elders shall meet jointly at the June meeting.

2. The Board of Deacons

- a. Membership. The board of deacons shall consist of up to twenty-four (24) members. Their term of office shall be for three (3) years and their eligibility for successive terms shall be the same as provided for ruling elders in Section 1.a. above.
- b. Classes. The congregation shall elect up to eight (8) active members as deacons each year at the Annual Meeting.
- c. Meetings. Stated meetings of the deacons shall be held according to a calendar adopted at its first meeting. Special meetings shall be held whenever requested by two (2) of its members or by the moderator of the deacons, or by the session, or by the pastor. The board shall keep a record of its proceedings and of all funds at its disposal and their distribution. The board shall submit its records to the session for approval semi-annually **(G.17-6C)**, and at other times upon request of the session. One third of the members of the board shall constitute a quorum for the transaction of business.
- d. Duties. Deacons shall perform the duties described in the *Book of Order*. **(G.9-4)**
- e. Officers. The board of deacons shall elect a moderator, a recording clerk and a treasurer from among its members at its first regular meeting. The term of office shall be one (1) year. The recording clerk shall keep a record of the board's proceedings.
- f. Committees. The board may establish such committees from its number as may be deemed necessary.

- g. Vacancies. The filling of vacancies in the board shall follow the method prescribed for the session, except that the resignation of a deacon is to be tendered to the session and takes effect when accepted by that body. The moderator of the board of deacons and the pastor shall confer with any member who has been absent two stated meetings in one program year to ascertain his/her ability and desire to continue serving on the board of deacons. A member may be removed for cause in accordance with the *Book of Order*.
- h. All deacons shall normally be elected by the congregation at the Annual Meeting, and shall be ordained and installed on a Sunday in August.

ARTICLE VI

ORGANIZATIONS OF THE CHURCH

- 1. With the consent of, and subject to the jurisdiction of the session, organizations for men, women or mixed groups, may be formed in the church for the conduct of a special work for missions, or other benevolence purposes, for the purpose of instruction in religion and development in Christian nurture, and for fellowship.
- 2. The chief officer of every adult organization shall be an active member of this church.
- 3. No organization within this church is or can be independent of the session. The functions of an organization, including the collection and distribution of monies, shall be subject to the oversight and direction of the session.
- 4. Each organization shall report at least annually to the session regarding its programs and expenditures.

ARTICLE VII

NOMINATING COMMITTEE

- 1. A nominating committee shall be constituted annually for the purpose of nominating persons who will serve on the boards of the Church
 - a. At least two members of the committee shall be active elders designated by the session, one of whom shall be appointed by the session to serve as chairman. **(G.10-10B)**
 - b. One member shall be designated by the board of deacons from its members.
 - c. The congregation at the Annual Meeting shall elect four members at large from the church membership. **(G.11-14B)**
 - d. The pastor shall serve as an ex officio member without vote.
- 2. The committee shall nominate persons who can fulfill the qualifications for the respective office as laid down in the *Book of Order* of the Evangelical Presbyterian Church **(G.12-6 and G.12-7)**. It shall nominate one person for each office to be filled representing a cross section of church membership. It shall also nominate persons who will serve on the nominating committee for the upcoming year to be elected as set forth in paragraphs 1c and 3 of this Article.
- 3. The nominations made by the nominating committee shall be announced with the call for the Annual Meeting at which the elections of ruling elders and deacons will be held.

ARTICLE VIII

PASTORAL SEARCH COMMITTEE

When the church is without a pastor or associate pastor(s), the nomination of the new pastor shall be in the hands of a special committee of nine (9) members, to be known as the "Pastor Search Committee" or "Associate Pastor Search Committee" as appropriate. This committee shall be chosen at the Annual Meeting or special meeting of the congregation and shall consist of at least one elder, one deacon, and seven active members of the congregation-at-large, representing a cross section of the church's life. The session may nominate this committee to the congregation, although the floor must also be opened for other nominations. This committee, working in cooperation with the Ministerial Committee of the Presbytery of the Pacific Southwest shall search, choose and nominate one person to the congregation as its pastor. When the committee is ready, the

session shall call a special meeting of the congregation to hear their report. If the committee's report is received and approved by the congregation, no other names shall be considered. If the report is not approved, the committee may be instructed by the congregation to continue its work, or a new committee shall be named. The call to the intended new pastor shall be in the form in use by the Presbytery of the Pacific Southwest and according to the terms determined by the church and the Presbytery of the Pacific Southwest (**G.10-4 or G.10-5**).

ARTICLE IX

REPORTS

An annual report summarizing the activities of the boards and organizations of the church for the Program Year shall be prepared and incorporated in the minutes of the session and made available to the congregation in June.

ARTICLE X

STAFF

The associate pastors of the church, together with its lay employees, both professional and non-professional, shall constitute the staff of which the moderator of the session shall be recognized as the head. Each position in the church, including the pastor, the associate pastors, and all other employees, shall be described by a position description that includes a list of their duties, responsibilities and their relationships with other staff members. These shall be prepared in consultation with the moderator, the personnel committee, and with the staff member concerned and shall be approved by the session and engrossed in full upon the records. All ministerial position descriptions shall be submitted to the Ministerial Committee of the Presbytery of the Pacific Southwest for its review and recommendations.

ARTICLE XI

AMENDMENTS AND REVIEW

1. These By-Laws, except those required by the Constitution of the Evangelical Presbyterian Church, may be amended by two-thirds vote of the electors present at a properly called congregational meeting (Article III, Section 3). The session shall announce and make available the printed proposed amendments(s) on the two successive Sundays proceeding the day of such meeting.
2. A review of these By-Laws shall be conducted at least every three years by a committee named by the session.

ARTICLE XII

BY-LAWS OF THE CORPORATION

The By-Laws of the Corporation are considered as part of these By-Laws, having been set up to comply with the Laws of the State of California.

BY-LAWS OF THE CORPORATION

FIRST PRESBYTERIAN CHURCH, BAKERSFIELD, CALIFORNIA

Conforming to the Laws of the Evangelical Presbyterian Church and the State of California, this church is incorporated as the First Presbyterian Church, Bakersfield, California. It does hereby enact the following By-Laws of the Corporation and all previous By-Laws designated for this purpose are revoked as of June 12, 2022.

ARTICLE I

AUTHORITY OF THE BY-LAWS AND PURPOSE

1. The By-Laws of the corporation shall be subordinate to the Constitution and the Laws of the State of California.

2. This corporation shall be formed and maintained to receive, hold, encumber, manage and transfer property, and to facilitate the management of its civil affairs in such a manner as may be directed by the session from time to time and according to the Laws of the State of California.

ARTICLE II

MEETINGS OF THE CORPORATION

1. There shall be one regular meeting of the corporation annually, on a date in June, as authorized by the session. The meeting shall include the congregational approval, disapproval or amendment of corporation business brought before it, the receipt of the report of the Trustees and the transaction of other necessary business.
2. Special meetings may be called by the Trustees, the session or the Presbytery of the Pacific Southwest as deemed necessary. Action shall be confined to business specified in the call.
3. All corporation meetings shall be called by the session by giving public notice thereof from the pulpit on the two successive Sundays preceding the day of the meeting.
4. The chairman of the Trustees shall preside over the meetings of the Trustees and the moderator of the session shall preside over the meetings of the corporation unless in the absence of either the chairman of the Trustees and the moderator of the session, the congregation elects some other qualified elector to preside.
5. The secretary of the Trustees shall be the secretary of all meetings of the Trustees and the Clerk of Session shall be the secretary of all meetings of the corporation. If both are unable to attend, the Trustees shall appoint a substitute. The secretary shall keep an accurate record of the proceedings at corporate meetings and incorporate this record into the permanent minute book of the Corporation.
6. Only active members of the church shall be permitted to vote at meetings of the church corporation.
7. A quorum shall consist of one-tenth (1/10) of the active members.
8. Voting by proxy is not allowed.

ARTICLE III

TRUSTEES

1. The session shall elect the Trustees who have demonstrated a consistent Christian life to fulfill the requirements of civil law in respect to the church corporation (**G.6-8**).
2. Membership. The Trustees consists of four (4) ruling elders as Chairman, Vice Chairman, Clerk of Session as Secretary, and the church Treasurer whose terms shall be one year or determined by the session.
3. Election. The Chairman, Vice Chairman, Secretary, and Treasurer shall be elected to the committee each year by the session.
4. Duties.
 - a. The duties of the Trustees shall be those only delegated to them by the laws of the State of California, the Constitution of the Evangelical Presbyterian Church, the session of this church, and by formal actions of this corporation.
 - b. It shall be the duty of the Trustees to buy, sell, mortgage property, accept and execute deeds, to hold and defend titles to all real and personal property of the church. Trustees shall also cause to be filed with the Secretary of State of the State of California any changes in the articles of Incorporation of the church corporation. Trustees shall also submit annual reports to the corporation at regular meetings. Trustees may make rules for their own government not inconsistent with the Constitution of the Evangelical Presbyterian Church, the Constitution of the State of California and these By-Laws.

5. Meetings.
 - a. The Trustees shall hold a meeting in September.
 - b. The Chairman may call other meetings of the Trustees as deemed necessary.
6. Quorum. A majority of the Trustees shall constitute a quorum for the transaction of business.

ARTICLE IV

ORGANIZATION

1. Each year at the first meeting following the Annual Meeting of the congregation, the Trustees shall be organized by the election of a the following officers:
 - a. Chairman, who shall be an active Ruling Elder elected by the session ;
 - b. Vice-chairman, who shall be an active Ruling Elder elected by the session ;
 - c. Secretary, who shall be the Clerk of Session elected by the session annually; and.
 - d. Treasurer, who shall be the church Treasurer elected by the session annually
2. These officers shall serve one year.

ARTICLE V

AMENDMENTS AND REVIEW

1. These By-Laws, except those required by the Constitution of the Evangelical Presbyterian Church and the State of California, may be amended by a two-thirds vote of the electors present at a properly called corporation meeting (Article III, Sections 1, 2 and 3). The session shall announce and make available the printed proposed amendment(s) on the two successive Sundays proceeding the day of such meeting.
2. A review of these By-Laws shall be conducted at least every three years by a committee named by the session.