

Constitution For The Congregation
Of
Mount Cross Lutheran Church
102 Camino Esplendido
Camarillo, California 93010-1717

PREAMBLE

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to be blessed together with the Word and sacraments, to unite as a congregation in the common confession and defense, to respond to our gracious Savior's commission that we preach His Word and administer the sacraments, do hereby adopt this Constitution and solemnly pledge ourselves to be governed by its provisions.

**CHAPTER I.
NAME AND INCORPORATION**

C1.01. The name of this congregation shall be Mount Cross Lutheran Church.

C1.02. For the purpose of this Constitution and the attached By-Laws, the members of Mount Cross Lutheran Church are hereinafter designated as this congregation.

C1.03. This congregation shall be incorporated under the laws of the State of California.

**CHAPTER II.
CONFESSION OF FAITH**

C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.

C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
- b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER III. NATURE OF THE CHURCH

Christ is the head. The church is both universal and local, or inclusive and congregational.

C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under His rule and authority.

C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

CHAPTER IV. STATEMENT OF PURPOSE

C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

C4.02. To participate in God's mission, this congregation as a part of the Church shall:

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanks-giving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

C4.03. To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with Churchwide policy.

C4.04. This congregation shall develop an organizational structure to be described in the By-Laws. The Congregational Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions. (Such description shall be contained in continuing resolutions of the Congregational Council.)

C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

CHAPTER V. POWERS OF THE CONGREGATION

C5.01. The powers of this congregation are those necessary to fulfill its purpose.

C5.02. The powers of this congregation are vested in the congregational meeting called and conducted as provided in this constitution and By-Laws.

C5.03. Only such authority as is delegated to the Congregational Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor;
- b. terminate the call of a pastor;
- c. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;
- d. approve the annual budget;
- e. acquire real and personal property by gift, devise, purchase, or other lawful means;
- f. hold title to and use its property for any and all activities consistent with its purpose;
- g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- h. elects its officers, Congregational Council, boards, and commissions, and require them to carry out their duties in accordance with the constitution and By-Laws, and continuing resolutions; and
- i. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter VI.

CHAPTER VI. CHURCH AFFILIATION

C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southern California - West Synod of The Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
- d. This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and By-Laws of the Evangelical Lutheran Church in America or with the constitution of the synod.

C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in C6.05.

C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the Synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the Synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the Synodical bishop to the secretary of this church and published in the periodical of this church.
- g. If this congregation was a member of the Lutheran Church in America it shall be required, in addition to the provisions in C6.05., to receive Synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

CHAPTER VII. PROPERTY OWNERSHIP

Mount Cross Lutheran Church is a California Corporation, duly authorized by the Secretary of State to do business as a domestic, charitable corporation.

This congregation has the power to buy, sell, lend, lease, donate, encumber by any legal means property, both real and personal, and wheresoever situated.

Title shall vest in Mount Cross Lutheran Church.

C7.01. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

C7.02. If this congregation ceases to exist, title to undisposed property, together with any encumbrances thereupon, shall pass to the Southern California - West Synod of the Evangelical Lutheran Church in America.

C7.03. If a three-fourths majority of the voting members of this congregation present at a special meeting of this congregation vote to transfer to another Lutheran church body, it shall consult with representatives of the Southern California - West Synod.

C7.04. If a three-fourths majority of the voting members of this congregation present at a special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with the congregation by the established Synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

CHAPTER VIII. MEMBERSHIP

C8.01. Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this Constitution and its By-Laws.

C8.02. Members shall be classified as follows:

- a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

- c. Voting members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding year. Only voting members who have attained the age of eighteen (18) years may vote on matters involving legal obligation or contract.
- d. Associate members are persons holding membership in other Lutheran [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregational Council of this congregation.

C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregational Council.

C8.04. It shall be the privilege and duty of members of this congregation to:

- a. Make regular use of the means of grace, both Word and sacraments;
- b. Live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. Support the work of this congregation and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

C8.05. Responsibilities of the congregation for fostering faithful members shall include:

- a. Proper instruction in the Word of God and the teaching of the Lutheran church prior to reception as confirmed members;
- b. Transfer of membership to another Lutheran congregation or the issuing of a certificate of standing and/or release to another evangelical congregation at the request of the confirmed member. Such transfer of membership or issuing of a certificate of standing and/or release should be granted to baptized but unconfirmed children at the request of their parents.
- c. Concern and conscientious pastoral care for members who do not partake of Holy Communion, support the church with their offerings, or appear to desire to participate in the life and worship of the congregation. When such members have failed to receive Holy Communion and to make a contribution of record for a period of two consecutive calendar years, they may be removed from the roll of members by the church council. This procedure will take place after such members have been counseled about the matter, if possible. Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

C8.06. Membership in this congregation shall be terminated by any of the following:

- a. Death;
- b. Resignation;
- c. Transfer or release;
- d. Disciplinary action by the Congregational Council; or
- e. Removal from the roll due to inactivity as defined in C8.05.c. Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

CHAPTER IX. THE PASTOR

C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or one who has been recommended for it by the Synodical bishop may be called as a pastor of this congregation.

C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world. Each ordained minister with a congregational call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; supervise all schools and organizations of the congregation; shall install regularly elected members of the Congregational Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and of the synod of the ELCA.

C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call.

C9.05.

a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the Synodical bishop and for the following reasons:

- 1) mutual agreement to terminate the call or the completion of a call for a specific term of years;
- 2) resignation of the pastor;
- 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
- 4) the physical or mental incapacity of the pastor;
- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or
- 6) the dissolution of the congregation.

b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by an official recital of allegations by the Congregational Council, or by a petition signed by at least one-third of the voting members of the congregation, to investigate such conditions personally in company with a committee of two ordained ministers and one layperson.

c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.

d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.

e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.

f. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint Churchwide/synod fund and with housing provided by the congregation.

C9.06. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregational Council.

C9.07. During the period of service, an interim pastor shall have the rights and duties of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregational Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation.

C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation with the pastors, the Congregational Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

C9.10. With the approval of the bishop of the synod the congregation may depart from C9.05.a. and call a pastor for a specific term of years. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

C9.11. The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.

C9.12. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of Synod Assembly.

CHAPTER X. CONGREGATIONAL MEETINGS

C10.01. The annual meeting of this congregation shall be held on or before February 1 of each year.

C10.02. A special congregational meeting may be called by the pastor, the Congregational Council, or the president of this congregation, and shall be called at the written request of twenty-five percent (25%) of all voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04. Ten percent (10%) of all voting members shall constitute a quorum.

C10.05. Voting by proxy or by absentee ballot shall not be permitted.

C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution. Majority vote is defined as one vote over fifty percent (50%) of all votes cast.

C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER XI. OFFICERS

C11.01. At its first meeting in each congregational year, the Congregational Council shall, by secret written ballot, elect a President, Vice-president, Recording Secretary. A Congregational Treasurer and Financial Secretary, shall be appointed by the council and will serve both the council and the congregation in their respective capacities.

C11.02. The President, Vice-president and Recording Secretary shall be chosen from the membership of the Congregational Council.

C11.03. The other officers, if not members of the Council, shall be accorded the privilege of voice without vote in the Council meetings and shall be accountable to the Council.

C11.04. All officers shall be voting members of the congregation. If any of them ceases to be such, that office shall be declared vacant by the Council which shall fill the vacancy for the unexpired term.

C11.05. Officers are to be elected for one-year terms and may be re-elected for one term only.

C11.06. No officer shall hold more than one office at a time.

C11.07. For purposes of this Chapter a "congregational year" shall begin February 1 and end on January 31.

C11.08. The duties of each officer are specified in the By-Laws attached to this document.

CHAPTER XII. CONGREGATIONAL COUNCIL

C12.01. The voting membership of the Congregational Council shall consist of not more than 13 members elected by the congregation. Pastor(s) are ex officio members of the Council with full right of voice, but no vote.

a. In addition, the women's organization shall send its president as a representative to the Council with full membership rights.

b. In addition, the youth group shall send its elected representative to the council with full membership rights. The youth group is defined as the young people who have completed catechism and are confirmed members of Mount Cross.

c. In addition, the Child Development Center shall send the chair of its board (or a designated representative) as a representative to the Council with full membership rights.

d. The presiding officer of the Council shall cast no vote, except he/she shall cast the tie-breaking vote.

e. All elected council members including the representatives from the women's organization, the youth group, and the Child Development Center are subject to the one member -- one vote rule.

f. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregational Council shall be declared vacant if the member 1) ceases to be a voting member of this congregation or, 2) is absent from two successive regular meetings of the Congregational Council without cause.

C12.02. Procedures for nomination and election of Congregational Council members are set down in detail in the By-Laws.

C12.03. The members of the Congregational Council [except the pastor(s)] shall be elected at the annual meeting. Their term of office shall be for two (2) years. Such members shall be eligible to serve no more than three full terms consecutively. Their terms shall begin at the close of the annual meeting at which they were elected. Newly elected Congregational Council members shall be installed by the pastor(s) at the first available Sunday worship service after they assume office.

C12.04. Tenure of Council members shall be so arranged that one-half of the terms expire annually.

C12.05. Should a member's place on the Congregational Council be declared vacant, the Congregational Council shall elect, by majority vote, a successor to serve the unexpired term until the next annual meeting.

C12.06. A quorum for the transaction of business shall consist of a majority of the members of the Council. Majority is defined as one over one-half.

C12.07. The Congregational Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregational Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and Churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

C12.08. The Congregational Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregational Council shall be the board of trustees of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of California, except as otherwise provided herein.

- b. The Congregational Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregational Council may enter into contracts of up to no more than ten percent (10%) for items not included in the budget for any particular category of spending or line item (priority a).
- d. The Congregational Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of no more than ten percent (10%) in excess of the anticipated receipts only after approval at a Congregational meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and Churchwide organization.
- e. The Congregational Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence moneys to the Synodical treasurer.
- f. The Congregational Council shall be responsible for this congregation's investments and its total insurance program.

C12.09. The Congregational Council shall see that the provisions of this constitution, its By-Laws, and the continuing resolutions are carried out.

C12.10. The Congregational Council shall provide for an annual review of the membership roster.

C12.11. The Congregational Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.

C12.12. The Congregational Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.13. The Congregational Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.14. A quorum for the transaction of business shall consist of a majority of the members of the Congregational Council, including the pastor or interim pastor, except when such person requests or consents to be absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting. Majority is defined as one over fifty percent (50%) of total membership.

CHAPTER XIII.

CONGREGATIONAL COMMITTEES

C13.01. The officers of this congregation and the pastor shall constitute the Executive Committee.

C13.02. A Nominating Committee of five voting members of this congregation, at least two of whom shall be outgoing members of the Congregational Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.

C13.03. An Audit Committee of three voting members shall be elected by the Congregational Council. Audit Committee members shall not be members of the Congregational Council, nor of the finance committee nor of the executive committee. Term of office will be three years, with one member elected each year. Members shall be eligible for re-election.

C13.04. When a pastoral vacancy occurs, a Call Committee of nine voting members shall be elected by the congregation at a special congregational meeting. Term of office will terminate at installation of the newly-called pastor.

C13.05. Other congregational commissions and task forces may be formed as the need arises, by decision of the Congregational Council.

C13.06. Duties of congregational commissions or task forces may be specified in the By-Laws and/or continuing resolutions.

CHAPTER XIV. ORGANIZATIONS WITHIN CONGREGATION

C14.01. All organizations within the congregation shall exist to aid it in ministering to its members and to all whom it can reach with the Gospel of Christ. As outgrowths and expressions of the congregation's life, the organizations are subject to its oversight and direction. The congregation at its meetings or the Congregational Council shall determine their policies, guide their activities and receive reports concerning their membership, work and finances.

C14.02. Special interest groups may be organized only after authorization has been given by the Congregational Council.

C14.03. An organizational structure to fulfill these functions shall be developed by the Congregational Council, approved by the congregation, and described in the By-Laws. Appropriate committees, commissions or task groups shall be responsible to the Congregational Council. The pastor (or one of the pastors) shall have a voice in each of these committees, commissions or task groups. The Congregational Council shall prepare descriptions, including appropriate relationships with Synodical structures, of the responsibility for each commission or task group and shall review their actions.

CHAPTER XV. DISCIPLINE OF MEMBERS

C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregational Council.

C15.02. A member charged with the offense shall appear before the Congregational Council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.

C15.03. Should the allegations be sustained by a two-thirds majority vote of the Congregational Council, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.

C15.04. The member against whom disciplinary action has been taken by the Congregational Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

C15.05. Disciplinary actions may be reconsidered and revoked by the Congregational Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

CHAPTER XVI. BY-LAWS

C16.01. This congregation may adopt By-Laws. No by-law may conflict with this constitution.

C16.02. By-Laws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting. Majority is defined as one over fifty percent (50%). A quorum is ten percent (10%) of voting members.

C16.03. Changes to the By-Laws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregational Council at least 60 days before a regular or special congregational meeting called for that purpose and that the Congregational Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregational meeting.

C16.04. Approved changes to the By-Laws shall be sent to the synod.

CHAPTER XVII. AMENDMENTS TO CONSTITUTION

C17.01. Amendments to this constitution may be proposed by at least two-thirds voting members or by the Congregational Council. Proposals must be filed in writing with the Congregational Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregational Council shall notify the members in writing of the proposal with their recommendations at least 30 days in advance of the meeting.

C17.02. A proposed amendment to this constitution shall:

- a. be approved at a properly called meeting according to this constitution by a majority vote of those present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- c. have the effective date included in the resolution and noted in the constitution.

C17.03. Any amendments to this constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and By-Laws of the Evangelical Lutheran Church in America, or the constitution of the Southern California - West Synod.

CHAPTER XVIII. CONTINUING RESOLUTIONS

C18.01. The Congregational Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.

C18.02. Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregational Council.