

## Dismissal Agreement between the CPC SCC and the Presbytery of San Francisco PET

The Presbytery Engagement Team (PET) representing the Presbytery of San Francisco and the Special Committee of the Congregation (SCC) representing Community Presbyterian Church applying the Presbytery of San Francisco's Policy for Dismissing Churches has reached the following agreement regarding the terms of the dismissal of Community Presbyterian Church of Danville, California.

### **Background:**

1. The PET has examined all of the deeds, loans or insurance documents of the Community Presbyterian Church and is satisfied that there are no references to the Presbytery of San Francisco and the PC(USA) including as co-signor, guarantor nor beneficiary.
2. The PET has engaged the Session of CPC and the leaders of the congregation and finds that the congregation is fully informed with the issues at hand and prepared to make a decision regarding the question of requesting dismissal from the Presbytery of San Francisco.
3. The PET has determined that Community Presbyterian Church will have continuity of 501(c)3 status through the EPC and no taxable events will occur.
4. The PET has determined that CPC has made provisions for the care of all pastoral staff retirement benefits.
5. The PET has determined that Community Presbyterian Church will have Property & Casualty Insurance in Force through the effective date of the dismissal.
6. The Presbytery of San Francisco has called a meeting with the congregation of the Community Presbyterian Church, Danville to be held on Sunday, September 12, 2010, at the church building in Danville. The purpose of the meeting is to discuss the dismissal of the congregation from the Presbyterian Church (U.S.A.) to the Evangelical Presbyterian Church, and members of the congregation will be asked to validate their desire for dismissal under the terms agreed to by the PET and the SCC by casting a vote.
7. Provisions have been made for the future care for the two candidates under CPC care that wish to remain in the PC(USA).
8. A process has been agreed to for identifying and supporting CPC members who choose to remain in the PC(USA).

**Terms of Agreement:** The following are the terms, as encouraged in the Presbytery of San Francisco's Policy for Dismissing Churches, which have been agreed to by the PET and the SCC and which the active membership of Community Presbyterian Church will vote upon on September 12<sup>th</sup>.

1. All pastors except Mark Howard who is an Evangelical Lutheran pastor serving at CPC will be dismissed concurrent with full implementation of the dismissal of CPC.
2. CPC will make a one-time, lump sum payment of One Hundred Eight Thousand Six Hundred Forty Dollars (\$108,640) in lieu of future declining Per Capita
3. CPC commits to support targeted PC(USA) missionaries, ministries and ministers in the annual amount of Forty Two Thousand Five Hundred Dollars (\$42,500) paid quarterly for five (5) years following CPC's dismissal to the EPC.
4. CPC will hold a congregational meeting on October 24<sup>th</sup> to amend its Articles of Incorporation and By Laws to remove all reference to the San Francisco Presbytery and the PC (USA) pending approval of dismissal by the Presbytery of San Francisco on November 9<sup>th</sup> and upon full implementation on February 9, 2011.
5. The effective date of CPC's dismissal will be November 10<sup>th</sup> 2010. If there is no stay or filing of a complaint during a 90 day waiting period, consistent with the interval identified in the PCUSA Book of Order for the filing of stays, complaints and appeals, full implementation will occur on February 9, 2011.
6. Full implementation on February 9<sup>th</sup> includes:
  - a. Payment of monies by CPC in lieu of future declining Per Capita
  - b. Quit Claim Deeds signed and recorded by which the Presbytery of San Francisco, on behalf of the PC(USA), shall relinquish any and all claims on CPC's property.
  - c. An agreement will be signed by which CPC will indemnify and hold harmless the San Francisco Presbytery and any and all affiliated or subsidiary entities against any third party claims arising out of the CPC property and both parties will agree to a mutual release of claims.
  - d. Previously approved changes to CPC's Articles of Incorporation and By Laws will become effective.
  - e. CPC membership will be formally received into the EPC.
  - f. CPC pastors will be formally received into the EPC.

Dismissal Agreement between the CPC SCC and the Presbytery of San Francisco PET

Signed by:

**Presbytery of San Francisco Engagement Team  
(PET)**

Chuck Fry  
Lois Quick  
Dave Ricketts  
Greg Roth  
Debbie Whaley  
Kathy Runyeon – Stated Clerk Presbytery of SF

**CPC Special Committee of the Congregation  
(SCC)**

Jack Johnson - Chairman  
Cathy Burkholder  
Scott Farmer  
Don Field  
Carol McDonald  
Karen Nelson  
Rhea Serpan  
Lee Camp