



# THE INTERCOM

Newsletter of the California Retired  
County Employees Association (CRCEA)

October 2018

[www.crcea.org](http://www.crcea.org)

Issue #4-2018



## PRESIDENT'S MESSAGE

As I put pen to paper – actually type on a keyboard – Fall has officially descended upon us. For some of us that's a good thing with lower temperatures (not recently) and kids or grandkids heading back to school. In my case, my grandson headed back to college in Pennsylvania in early August for his pre-semester football workouts. The last time I wrote, I hoped for a lack of fires in our state. Unfortunately, that hope was dashed and many areas were devastated again.

No matter when I write this column, we are either just finishing a conference or are heading into one. At this writing, we are just weeks away from meeting again in Marin County. I have had conversations with several of

the folks involved with hosting this conference, and it sounds like once again we should be spending worthwhile time in San Rafael.

Not too much to report by the Executive Committee this last couple of months. We talk with each other somewhat regularly in some manner, and seem to be able to accomplish necessary business via email and phone calls without the necessity of an actual meeting, thus saving CRCEA expenses. Having said that, be assured that we have not ignored anything that might touch on the myriad issues that may impact retirees.

The California Legislature is in the last months of this session and is working to finish up all the loose ends of the various bills that are out there. While not too much has really happened in the retiree/retirement area, it never ceases to amaze me what the Legislature puts forth. I am sure that each of you can think of one or two bills that have gone through the process that has you scratching your head. Both

Art Goulet and I are on the SACRS Legislative Committee, and can watch all the issues for public pensions that might be out there. Art's tenure and expertise have been beneficial in looking at pitfalls and benefits of legislation and what might impact our County Employees Retirement Law (CERL). The Marin conference will put the state of California front and center when our Consultant, Amy Brown, appears IN PERSON to discuss the entire picture. Always time well spent.

This is an election year for CRCEA. Will Hoag of Ventura County recently sent out a "slate" of nominees from the Nominating Committee. The Wednesday Business Meeting is to conduct our "corporate" business, including the election for members of the Executive Committee. As we always remind you, the delegates from each local county association are the Board of Directors of CRCEA. Your decisions will set the direction of the organization for the future. No matter the decision that gets made at the conference, we need to have everyone think

*continued on Page 2*



about possibly stepping up in the future to assist the operation and direction of CRCEA. It's some work, yes, but it is only an extension of what you have done (or are doing) at the local level. And, of course, it is for all the right reasons.

Speaking of conferences, our next Spring Conference in April 2019 will be in beautiful San Diego. I can say that with some obvious bias, since RESDC is my local association. I do know that the board is already working on their conference and things are coming together as they hoped it would. I have been given some inside information on speakers, and the material that will be transmitted to the attendees will be good stuff. I helped work on the last one, and they intend to improve on that one.

April in San Diego? Kind of like April in Santa Barbara. Nice. John McTighe, Mark Nanzer, and the board of RESDC have promised, so I guess that's good enough for me. There will be an invite and information provided at the conference in October.

Once again, let me put on the old record - so it repeats and repeats and repeats. Same thing this month. When it is a recording, not so much as a change of wording. CRCEA continues to

reach out for Affiliates. Those are businesses that provide services to retirees or otherwise support public employees and retirees that we can approach to be affiliates of CRCEA. All of our affiliates believe that they have something of benefit for your members, and the local associations will be looking at each of them to evaluate at the local level.

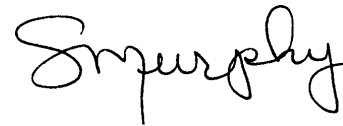
You can check on the basic information on each at our website under the Affiliate tab. If you have a question on their service/product, do not hesitate to give them a call in order to see if that affiliate can be of benefit to your association. As always, if anyone has any idea or potential affiliate that would be of benefit to CRCEA and its members, give Mike Sloan, Carlos Gonzalez, or any Executive Committee member, the information and we will follow up.

In closing, a reminder of why we get together at our conferences. To learn, to exchange information and to see what we can do to protect ourselves and our fellow retirees (both today's and tomorrow's).

Let's have some discussion during our Roundtable time. Through all this ex-

change, discussion and/or debate, something good can happen.

Until next time.....



SKIP MURPHY, President

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## **Five Signs of Heart Failure**

### **FACES**

This acronym will help you recognize the symptoms of heart failure so that you can get help fast; not only for yourself, but also for someone else.

**F** - Fatigue

**A** - Activity limitation

**C** - Chest congestion

**E** - Edema/ankle swelling

**S** - Shortness of breath

[www.prevention.com](http://www.prevention.com)



**ORANGE COUNTY  
RETIREES' CLASS  
ACTION LAW SUIT  
LITIGATION UPDATE**  
by Linda Robinson/Doug  
Storm

On September 5, 2018 the Ninth Circuit Court of Appeals revived a Class Action Lawsuit originally brought by Orange County retirees before the Central District Court of California in January 2009. Following a number of motions, amendments and appearances at the District Court, Court of Appeals and California State Supreme Court—the Harris, Jahn, McConnell, et.al. v County of Orange case (#13-56061) was last argued before a 9<sup>th</sup> Circuit three-judge panel in February, 2014. The lawsuit alleges the County of Orange wrongly 1) reduced a Retiree Medical Grant benefit that is based on retirees' vested contract rights and 2) constitutes age discrimination by the County's unilateral decision to eliminate the benefit of a commingled insurance pool beginning in January, 2008.

The panel ruled in its published opinion that retirees adequately claimed they had an implied contract with the County providing them the right to a monthly grant for health care costs during their lifetime. The panel rejected the age discrimination claim.

The panel affirmed in part and reversed in part the lower court's ruling and remanded the case back to the District Court for further proceedings. The 9<sup>th</sup> Circuit's ruling does not mean the case won a final victory on the grant claim; it just says the case is allowed to go forward in the trial court to prove the claim with evidence.

On September 19, 2018 a request was filed with the Court of Appeals to reconsider its ruling regarding the commingled pool/age discrimination claim. The request asserts mistakes were made in concluding the claim was properly dismissed by the lower court. The Court of Appeals will rule on this request before the case returns to the District Court. The timeline for a ruling is unknown but hoped the panel will rule expeditiously. Requests for reconsideration are not often granted; however the explanation for the request clearly identifies errors made in dismissing the claim. After the Court of Appeals rules on the reconsideration request, the case will return to the lower court with either one or two claims upon which to proceed. Once back there the case picks up where it left off in 2013. For further information regarding this

ruling and recent reconsideration request the reader is invited to review documents provided on the REAOC website at [www.reaoc.org](http://www.reaoc.org).

**Future  
CRCEA  
Conferences**

Spring 2019  
San Diego (RESDC)

Fall 2019  
Sonoma/Mendocino  
(SCARE/AMCRE)

Spring 2020  
Tulare (TCREA)

Fall 2020  
Stanislaus/Merced  
(RESCO/REMCO)

Spring 2021  
Los Angeles (RELAC)

Fall 2021  
Fresno (REFCO)

Spring 2022  
Orange (REAOC)

Fall 2022  
Sacramento (SCREA)

**WE HOPE YOU WILL BE  
ABLE TO JOIN US FOR  
GREAT INFORMATION,  
NETWORKING, AND, OR  
COURSE, FUN!**



**HOPE TO SEE YOU THERE!  
October 15 – 17, 2018**



Marin County Association of Retired Employees (MCARE) is hosting the CRCEA 2018 Fall Conference in San Rafael October 15 – 17, 2018!

The conference will be at the Four Points by Sheraton Hotel in San Rafael.

[Click here to reserve a room at the Four Points by Sheraton Hotel in San Rafael.](#)

To reserve by phone, call Toll Free (866) 716-8133. Ask for CRCEA conference rates.

We have a fast and easy online registration this year and encourage you to try it!

**Register online at:** <https://www.mcareinfo.org/event-2614354>

To learn more about the conference, go to:

<https://www.mcareinfo.org/CRCEA-2018-Fall-Conference>

We have some informative web pages with transportation information from Oakland and San Francisco Airports, a map of the Four Points Sheraton Hotel and things to see and do in Marin County.

We are using a FREE conference app this year that you can use on a SmartPhone (iOS or Android), a tablet (iOS or Android), a laptop or a desktop computer. To learn more, go to:

<https://www.mcareinfo.org/CRCEA-2018-Conference-App>

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