



# Cattails

For the Retired Public Employees of San Joaquin County

Member of CRCEA (California Retired County Employees' Association)

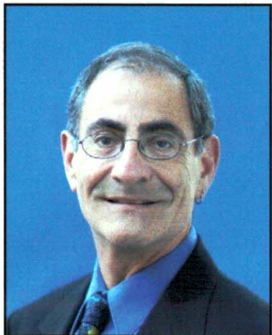


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## PRESIDENT'S MESSAGE – by Bill Mitchell



**H**ow will you observe the holidays this year? For me, the two-month eat fest starts at Halloween with a bag of my favorite candies that is large enough to assure lots of leftovers. Not this time. We didn't entertain trick-or-treaters.

Our family has come together every Thanksgiving and Christmas, except when our two oldest children were studying abroad during their junior years in college. The status of our gatherings in 2020 is in doubt, depending on the levels of virus activity in our respective communities and the guidance of health officials. We haven't seen the kids in person since February, although we communicate on platforms such as Zoom, Google Meet, Sanpchat, or FaceTime at least once per week and on special occasions like Mother's and Father's day and birthdays.

My wife Kathryn had a milestone birthday (one that ends in a zero) this year, and we had planned a trip overseas with the whole family. Like your travel plans, we had to abandon that adventure. Yet, I remain optimistic about 2021. I have confidence that our local and state public health officials will guide us through the pandemic. When a vaccine becomes available, I have no doubt that our health insurer - Kaiser - will offer it only when they are absolutely certain it has been deemed safe and effective based on the most rigorous scientific evidence.

I hope that, sometime next year, we are able to return to indoor gatherings such as luncheons, larger outdoor events like our annual picnic, in-person sporting events and other group excursions - all the RPESJC functions at which we enjoy each other's company.

This edition of Cattails includes some tips to keep you healthy and safe in the meantime. I wish you and your families a joyous winter season and a much improved 2021. ❖

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## ACTIVITIES REPORT – By Carol Carson



**W**hen we dreamed and planned for retirement, a life-threatening pandemic and California on fire, filling the air with smoke and ashes was not what we envisioned. Certainly, when I joined RPESJC, I had happy thoughts of monthly luncheons, meeting with fellow officers to plan and carry out events, going on our various outings with retirees, the summer picnic, and the Christmas lunch! Those were simpler times before COVID-19 and the devastating forest fires.

Now the RPESJC board meets by telephone conference and soon by Zoom. Now the COVID-19 crisis requires lock down of entertainment facilities, restaurants, churches, athletic events, music venues, gyms, and social clubs. Now, we wear masks, use antiseptic wipes and washes, avoid crowds, and practice social distancing.

Yes, it has been worrying and stressful. A month and a half ago, I had prolonged contact with someone who called to let me know she had been exposed to COVID-19 and was going to get a test. I then had to isolate, and a few days later she called to say she was positive for the virus. I then had to get a test myself and wait for results. I was negative, but I self isolated another 14 days to make sure. It was a lonely and worrying time. I hope none of you have to go through it.

That experience has made me focus more on my house and myself. I've been trying to get more structure in my life by making lists and getting things done that have piled up. The experts say doing at least one productive thing a day can lead to a more positive attitude and staying close to a normal routine can maintain a semblance of normality. Luckily, I have a dog for companionship and for exercise. I'm a TV news junkie, take the paper, subscribe to several magazines, Facebook with friends and keep in touch by phone. House and yardwork also beckon.

Now we've exited the "purple tier" stage of COVID-19 in our county on September 29th and resumed the "red tier" stage, we can go to restaurants, the gym, church, and other group activities while still wearing masks and social

distancing. A future vaccine may soon allow resumption of a more normal existence. Until then, fellow retirees, be vigilant for your safety, keep up your spirits, and continue to enjoy being retired. Remember, we could be going through all this AND still having to go to work every day!!! ❖

## POST 1982 RETIREE LITIGATION UPDATE

**I**f you retired from San Joaquin County on or after April 1, 1982 and before January 1, 2001 you are a member of a class action which was filed in Superior Court. The Class is being represented by Attorneys Richard Chiurazzi and John Parker of the Cutter Law Firm. The Retired Public Employees are not a party to the case as the organization has not been damaged. The attorneys are seeking to have the Post 82 retirees paid a supplemental benefit promised to them in a Settlement Agreement entered into in 2001. The benefit payment averaged \$170 a month and it was first paid beginning in January 2001.

The benefit was initially partially funded for about six years. It was to be fully funded from the excess money of the Retirement Association (which is referred to as the Unappropriated Earnings Reserve) or other accounts not required by law. The first time the payment ended was in April 2006, and it started up again in December 2007. Except for a couple of payments, the benefit stopped again in February 2017.

The Retirement Association employs experts to complete annual financial documents, and it was the job of the Board to check each report and to utilize the UER identified to fund the POST 82 Reserve account. The Retirement Board is a fiduciary and is expected to notify the retirees when it had the excess earnings and to use this money to fund the benefit. The problem all began because the Retirement Board never notified the retirees when it had the excess money, nor when it modified its policies on how the UER was to be used in the future.

*Continued on Page 3*

## POST '82 LITIGATION UPDATE CONT.

A vast majority of the retirement association's annual income comes from earnings on its investments. Currently the retirement fund has assets of approximately 3.2 billion dollars. In many years the investment return did not meet expectations. However, upon investigation of the financial records it was discovered that in several years there were excess funds which should have been used. These years were primarily 2002, 2007, and 2009.

The Retirement Association sent many newsletters and notices to retirees saying there was no excess money available to continue to fund the benefit. In the litigation it has been contended there was money to fund the benefit over the years and this money should have come from the UER, the Restricted UER, and from money in the contingency reserve above the required 1%. Also, during each year when the retirees were informed there was no money to fund their benefit, there existed a \$3,000,000 surplus in the Retirement Association's administrative budget. The cost to fund the supplemental benefit is less than \$3 million per year, and it will be declining with the passage of every month.

The litigation was filed in the fall of 2017 with Pauline Toy and Margaret Miller as the lead Plaintiffs. Unfortunately, Margaret Miller suffered a significant injury and Pauline Toy passed away. Ed Allum has stepped in to represent the Post 82 members. The parties have exchanged thousands of pages of documents and there have been many hours of depositions. The case was assigned to Judge Holly for all purposes.

The Retirement Board and the County first filed a motion to dismiss and this was denied by the court. The defendants then filed a motion for Summary Judgment and the court issued a tentative ruling entirely in favor of the Post 82 Retirees. Ninety days after the hearing on this motion the court ruled entirely in favor of the Retirement Association and the County. The Court basically adopted the opinion of the Retirement Association's expert as he stated the retirement fund never had excess earnings, because it was "actuarially prudent" or "necessary" to leave the extra money in the fund, rather than fund the benefit. The Court also found the claim was barred by the statute of limitations, laches and other defenses. If anyone is

interested in reading the full 44 page opinion, it can be found on the Retirement Association website or the attorneys can email you a copy.

The attorneys believe the Superior Court opinion was wrong. They associated an appellate specialist and filed with the Court of Appeals in Sacramento. Based upon the average age of the Post 82 members, the case has been granted preference. Many hours have been spent preparing and arranging for the briefs to be filed and now the Post 82 retirees are waiting for a ruling. The attorneys anticipate a decision will be issued by the court within 60 days. Once a decision has been rendered, the attorneys again will be in contact with the Post 82 Retirees. It is quite likely the attorneys will be asking additional retirees to be formally listed as a Plaintiff. If anyone has any questions or would like to review any of the pleadings, please contact Richard Chiurazzi at [Richardchiurazzi@gmail.com](mailto:Richardchiurazzi@gmail.com) ❖

## 2021 RICHARD CALLISTRO SCHOLARSHIPS

The application document and requirements for the 2021 Richard Callistro Scholarship are now posted on the RPESJC website. Up to three \$1,000 awards are available to children and grandchildren of RPESJC members, for applicants who are in their final year of high school. The application and instructions can be found at [www.rpesjc.org](http://www.rpesjc.org) by clicking on the "Publications" section, and then under "Forms and Literature." ❖

### NOVEMBER TRIVIA

- 1) What color is the rarest M&M?
- 2) What was the first toy to be advertised on television?
- 3) What is the tiny piece at the end of a shoelace called?
- 4) How many of Snow White's Seven Dwarfs had names ending in Y?
- 5) How many ribs are in a human body?
- 6) What does BMW stand for in English?
- 7) Who invented scissors?

*Answers on Page 5*

## WELCOME NEW RPESJC MEMBERS!

<u>Name</u>	<u>Department</u>		
Delfina Alcocer	Superior Court	Joyce Saulsberry	Sheriff
Kimberly Andrejko	Human Resources	Joyce Solomon	Human Services
Laurie Brown	Environmental Health	Victoria Spivey	Probation
Patricia Brown	Auditor-Controller	Leslie Summers	Sheriff
Viola Cortez	SJ General Hospital	John Thomasson	*
Sukhvinder Deol	Behavioral Health	Robin Toschi	Probation
Richard Flores	County Counsel	Lincoln Waitiki	Mental Health ❖
Danielle Geary	Deferred		
Seth Hoyt	Superior Court		
Jeannette Hume	SJ General Hospital		
Carter Little	SJ General Hospital		
Michael Mc Donald	Probation		
Nicholas Moreno	Sheriff		
Carlos Olgin	Probation		
Daisy Otero	SJ General Hospital		

\*Retiree declined to give department name

Congratulations

### NEW RETIREES

<u>Name</u>	<u>Department</u>	<u>Years</u>
Delfina Alcocer	Superior Court	38
Terri Almond	Sheriff	30
Jose Alva	Deferred	5
Shareen Beuchamp Rocha	Human Services	19
Annette Bichlmeier	Deferred	10
Laurie Brown	Environmental Health	33
Suzanne Bullington	Human Services	27
Esther Burkes	Deferred	1
Jamie Casner	Superior Court	24
Monte Clevenger	Deferred	4
Doris Cody	Behavioral Health	23
Viola Cortez	SJ General Hospital	24
Shelly Cunningham	SJ General Hospital	7
Susan Degen	Deferred	10
Deborah Enochs	Child Support	6
Elizabeth Erdman	Conservator	12
Adrienne Forshay	Superior Court	6
Danielle Geary	Deferred	10
Richard Griffin	Community Development	18
Veronique Harper	SJ General Hospital	5
Sandy Hoffman	Human Services	23
Seth Hoyt	Deferred	12
Ruth Johnson	Behavioral Health	19
Jessica Knisley	Public Works	11

Richard Larrouy	Deferred	8
Susan Leon	Substance Abuse	28
Robert Lipanovich	Public Works	13
Jennifer Mathison	SJ General Hospital	12
Judieth Morris	Sheriff	17
Roger Nation	Facilities Management	7
Sonja Ochoa	Child Support	33
Paul Paroli	Sheriff	17
Coeva Parrott	Public Health	25
Kim Perez	Human Services	12
Antonia Ramos	Probation	29
Cheryl Rogers	Assessor	18
Theodore Ryan	Deferred	6
Ronann Robello	Human Services	15
Ana Sanchez	Behavioral Health	25
Joyce Saulsberry	Sheriff	24
Lalita Singh	Deferred	21
Victoria Spivey	Juvenile Detention	20
Danny Swanson	Deferred	15
Susan Teeslink	Correctional Health	26
John Thomasson	Deferred	1
Mary Thompson	Deferred	18
Michelle Turner	Deferred	23
Lincoln Waitiki	Behavioral Health	1
Dawn Woltkamp	Substance Abuse	13



## ZOOMING IN ON TAI CHI

**T**hough nothing can replace an in-person interaction, Public Health Services (PHS) was surprised to discover that moving many of our health education and physical activity classes that moved to virtual platforms during COVID-19 has paid great dividends. One of the most successful has been our evidence-based *Tai Chi for Fall Prevention and Arthritis* classes. Always popular in-person with older adults at senior and community centers, Tai Chi is a wonderful way to improve balance and core strength and reduce the risk of falls.

With support from Aging & Community Services, PHS launched a pilot series - its first virtual Tai Chi class in August using Zoom. During each class, Robyn DeGuzman, a PHS Health Educator and Tai Chi instructor, had led participants through a 20-minute warm-up, followed by 35 minutes of instruction on the Tai Chi forms that make up the core of this program. Robyn demonstrated both arm and leg movements while participants followed along in their own living rooms. Class members asked questions freely just like in an in-person class.

The beginning of October brings us just past the halfway point in the pilot series, with participants sharing that they already feel more stable and have less pain. Other surprising benefits include a decrease in gastrointestinal issues, improved breathing, and less bloating on class days!

For more information on virtual Tai Chi for Fall Prevention and Arthritis, please contact Robyn DeGuzman, at [rdeguzman@sjcphs.org](mailto:rdeguzman@sjcphs.org). ❖

## NOVEMBER TRIVIA ... ANSWERS

- 1) The rarest M&M is the color brown.
- 2) It wasn't Lincoln Logs! The first toy advertised on TV was Mr. Potato Head.
- 3) The piece at the end of a shoelace is called an aglet.
- 4) Dopey, Grumpy, Sneezzy, Sleepy, Happy
- 5) There are 24 ribs in the human body.
- 6) BMW stands for Bavarian Motor Works.
- 7) Scissors were invented by Leonardo da Vinci. ❖

## BEWARE OF COVID-19 SCAMS

**S**uzanne Schultz, Program Manager, from the San Joaquin County Family Justice Center, San Joaquin County District Attorney's Office reports the following scams which have been brought to their attention:

1. **Calls and E-mails purporting to be from the IRS** or other governmental organization. Phone Calls: Caller ID will be spoofed. Which means, it will have a local area code or prefix that is fake. Emails: Will provide a link you can click on to update your information. NEVER click on a link in an email you were not expecting.

2. **Personal Protection Equipment** or Products to prevent COVID-19. Products can range from masks, off-brand hand sanitizer or sanitizing wipes, sanitizing tools, home vaccination, or test kits.

3. **Amazon emails to update your payment information** or request of information for a package delivery. Scammers know many are using Amazon to do their shopping. The email will provide a link for the recipient to click on to update their credit card information. Again, NEVER click on a link in an email you were not expecting.

4. **Bogus charities.** These were not due to COVID-19, but began when the tremendous number of fires were breaking out in California. Confirm registration of legitimate charities via the California Secretary of State's website: <https://businesssearch.sos.ca.gov/>

5. **Bogus Contact Tracers.** A contract tracer works for either our local Public Health Services or State Health Department. Their job is to contact COVID-19 positive individuals and those who a COVID-19 positive individual may have had contact with. Scammers will call or come to the door claiming to be Contact Tracers. Before releasing any personal identifying information, ask for valid government identification, then contact that organization to confirm the person works for the agency. A legitimate Contact Tracer will not ask for money, credit card or bank account information, or Social Security number. ❖

## Dates To Remember

Thursday, November 12, 2020	Monthly Luncheon - <u>Canceled</u>
Thursday, November 19, 2020	Board Meeting – Send an email to <a href="mailto:rpesjc@gmail.com">rpesjc@gmail.com</a> and request a Zoom invitation link to join the meeting.
Thursday, December 10, 2020	Holiday Luncheon - <u>Canceled</u>
Thursday, December 17, 2020	Board Meeting – Send an email to <a href="mailto:rpesjc@gmail.com">rpesjc@gmail.com</a> and request a Zoom invitation link to join the meeting.
Thursday, January 14, 2021	Monthly Luncheon - <u>Canceled</u> .
Thursday, January 28, 2021	Board Meeting – Send an email to <a href="mailto:rpesjc@gmail.com">rpesjc@gmail.com</a> and request a Zoom invitation link to join the meeting.

## MEMBERS FINANCIAL SERVICES – By Frank Feng



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**Question:** Hi Frank, I have heard that the Dow Jones Industrial Average Index (DJIA) has changed its components. Could you tell us more about that? Thanks!

**Answer:** The Dow Jones Industrial Average (DJIA), one of the most widely followed stock market indices, has made some key changes to its starting lineup. Salesforce.com, Amgen Inc., and Honeywell International Inc. have replaced Exxon Mobil Corp., Pfizer Inc., and Raytheon Technologies Corp. The change went into effect before the market opened on Monday, August 31.

The index changes were prompted by Dow component Apple Inc.'s decision to split its stock four-for-one, which also took effect on August 31. The DJIA is a price-weighted index, meaning the 30 companies are weighted in proportion to their price per share. By splitting its shares, Apple effectively reduced its influence—and the entire technology sector's influence—on the Average. In fact, Apple's move reduced the technology weighting within the Dow from nearly 28% to 20%. The addition of Salesforce is designed to help bolster the technology sector.

Put another way, before the split, Apple was the most influential component in the DJIA, but after the split, it drops to 17th.

Some market analysts have said the changes make the index “more in tune with the new economy.” The DJIA changes reflect the growing influence of technology and the waning influence of the old economy. Oil and gas multinational Exxon, for example, joined the Dow more than 90 years ago in 1928. The DJIA has made several adjustments since it was first published in 1896, so a change to the Dow 30 lineup is nothing new.

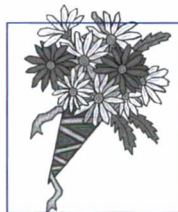
With the changes, the current DJIA consists of the following 30 companies: 3M, American Express, Amgen, Apple, Boeing, Caterpillar, Chevron, Cisco, Coca-Cola, Dow, Goldman Sacks, Home Depot, Honey Well, IBM, Intel, Johnson & Johnson, JP Morgan Chase, McDonalds, Merck, Microsoft, Nike, Proctor & Gamble, Salesforce, Travelers, UnitedHealth, Verizon, Visa, Walgreens, Boots Alliances, Walmart and Walt Disney.

Please remember that the companies mentioned are for informational purposes only. It should not be considered a solicitation for the purchase or sale of the securities.

If you would like more information about this topic, or have questions on any other financial issues, please call me at (209) 948-6024 ext 50140 or email me at [frank.feng@cunamutual.com](mailto:frank.feng@cunamutual.com). ❖

## IN MEMORIAM

We extend our deepest sympathy to the family and friends of those who meant so much.



Bruce Avrit	County Clerk
Thomas Berry	Eastside Fire District
Alice Boswell	Purchasing Central Services
Floyd Brown	Substance Abuse
Kathy Brownlee	Sheriff
George Feicht	Substance Abuse
William Frogue	District Attorney
Lester Garcia	Sheriff
William Goodman	Human Services
Marissa Harris	Purchasing
Herbert Horstmann	Courts
Ellen Howard	Sheriff
Sharon Jackson	Child Support Svs
Robert Johnson	SJ General Hospital
Erma Kern	SJ General Hospital
Gordon King	SJ General Hospital
Leroy Kretzschmar	Veterans
Jay Kuennen	Mental Health
Sally Lamke	Mental Health
Tamara Lowe	Environmental Health
Mary Lucero	SJ General Hospital
Jonell Mc Vey	District Attorney
Roy Millar	Assessor
Michael Ming	Sheriff
Ben Montemayor	Government Buildings
Nicholas Moreno Jr	Sheriff
Lillian Munson	Sheriff
Eleanore Nelson	Mental Health
Marlene Norris	Sheriff
Susan Racz	Sheriff
Carrol Robertson	Sheriff
Marvis Roddewig	Human Services
C Rutledge	Parks & Rec
Geraldine Schook	Courts
Jo Tengonciang	Agricultural Commissioner
Norma Ulibarri	Courts
Jan Weber	Human Services ❖

## Published quarterly for the Retired Public Employees of San Joaquin County

Member comments and suggestions should be directed to Staff Advisor, RPESJC Newsletter. Email: rpesjc@gmail.com, or contact

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The RPESJC Newsletter is published four times each year. The information published in it is believed to be reliable. However, the newsletter staff assumes no responsibility for inaccuracies contained herein.

## HELP WANTED

Are you seeking an outlet for your creative talents? The RPESJC Board is seeking one or two new members who are interested and willing to be the Cattails newsletter editor and/or the website manager. If either or both of these roles interests you, call and leave a message at 466-8556, or shoot us an email to rpesjc@gmail.com ❖

# FINANCIAL CENTER CREDIT UNION

## - by Michael P. Duffy President/C.E.O.



### STAY SAFE DURING THE HOLIDAY SHOPPING SEASON

The holiday season is here and is certainly different from past years, surely most shopping will be done online this year with it being the easiest way to social distance from your fellow holiday shoppers. Are you prepared for online shopping though? Cyber criminals are prepared...for your identity. Financial Center Credit Union recommends using extra caution when shopping this year to help avoid damaging your credit or becoming a victim of identity theft.

Here are some safety tips provided by FCCU for you can take while doing your holiday online shopping:

1. Protect your computer from online threats including money-stealing Trojans. The best way to avoid Trojans is to: not open attachments or click on email links; stick to websites that you know you can trust; and regularly update your computer software including your anti-virus, anti-spyware, and firewall programs.

2. Take a tip from online merchants and "trust but verify." It's important to make sure the web page for payment transactions is secure and legitimate. One way to check if it's safe and secure is to check for an "s" in the website address (i.e., https:// instead of http://).
3. Be careful when buying gift cards. Gift cards remain one of the most requested holiday gifts, making it vulnerable to scams like fraudulent gift cards being sold on auction sites. Be sure you are purchasing gift cards from a reliable source.
4. Do a post-holiday credit health checkup. After the holidays are over, be sure to check your credit reports, credit card statements, and bank statements to verify all transactions. Each transaction you made, either in retail stores or online, could have been compromised, adversely affecting your credit and your credit score.



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