



CONTRA COSTA COUNTY
RETIRED EMPLOYEES ASSOCIATION, LOCAL ONE

P.O. Box 2973, Martinez, CA 94553 • Phone: (925) 228-1600 • Toll Free: 1-800-585-0054 •
E-Mail: www.ccrea.info

Representing the Past, Present & Future

Winter 2016

President's Message



CCCERA COLA ADJUSTMENT

ERRORS: In late May, I was contacted by Ken Sandy, a retired sheriff's department employee, advising that the retirement office (CCCERA) had sent him a letter regarding overpayment for COLA benefits. The amount of the overpayment in his case was in excess of \$17,000, and now CCCERA wanted him to pay the money back, with interest.

After some investigation, it was determined that CCCERA had recently completed an audit of the cost of living

data dating back to 2006, and the retirement office staff had determined that 16 retirees had been mistakenly overpaid, and 9 retirees had been underpaid. In their report to the CCCERA Board, they noted that as a tax qualified plan under IRS rules, "CCCERA is required to take reasonable steps to accomplish a full error correction, with appropriate interest applied."

The retirement office readily admitted that there was no blame on the part of the retirees, and they had only accepted those amounts that were determined to be appropriate at the time. No blame was placed on the retirement office, other than they should not have waited 7 ½ years in some cases to complete an audit of the COLA benefits.

The affected retirees argued that since they were not responsible for the error, adding interest to the repayment process was punitive and should not be considered. Some also pointed out that they had paid income tax on the money received, and how would they recover those amounts after 7 years.

The issue was presented to the CCCERA Board of Directors on October 12, 2016, and I addressed the Board as an advocate for the retirees. After consideration, the Board voted unanimously to rescind the request for repayment and interest from all 16 of the affected retirees. They went on to agree to repay the 9 retirees who were underpaid, including interest.

This was the best of all possible outcomes for the retirees, and they were able to convince the CCCERA Board without the need to hire attorneys or file a lawsuit. I hope that the involvement by CCCREA had a least a little influence on the Board's decision.

CRCEA CONFERENCE: After eight years of planning, and months of meetings and preparations, CCCREA hosted the California Retired County Employees Association (CRCEA) biannual fall conference at the Walnut Creek Embassy Suites Hotel. The conference took place from October 16 – 19, and from comments received from the at-

tendees, it was an overwhelming success. Some of the survey comments included, "raises the bar for future events" and "a new standard has been set."

There were a wide variety of speakers, including California State Treasurer, John Chiang. His presentation described the new program recently signed into law by the governor allowing for pension funding through the state for private industry. This is something that has been lacking for years, and will help everyone achieve some financial stability during their retirement.

The conference is held twice a year with the purpose being to complete the necessary business of CRCEA, but to also provide educational and networking opportunities for the delegates from the 20 member counties. The responsibility for hosting the conferences is rotated among the association members, and so having fulfilled its duty this year, Contra Costa will not be responsible for hosting another until 2024.

I would be remiss if I did not take this opportunity to thank the many volunteers who gave hundreds of hours of their time to make sure this event went smoothly and reflected so well on our organization. The conference committee, Board of Directors, and numerous volunteer members did a spectacular job! I would also like to thank those members who very graciously provided door prizes for the event. Their thoughtfulness and support are very much appreciated.

SUPPLEMENTAL INSURANCE PACKETS: You should have received your supplemental insurance packet from Pacific Group Agencies (PGA) by now. In this packet is their annual offering of supplemental benefits which includes dental insurance, travel insurance, ID theft protection, vision care, and even pet insurance.

It is important to remember that these benefits are separate from the retiree health benefits you receive from Contra Costa County. These benefits are meant to enhance, but not replace your current benefits. Should you have any questions about this program, or did not receive the supplemental packet, please call PGA at **(800) 511-8965** for additional information.

PROPERTY TAX POSTPONEMENT PROGRAM: I recently learned of a program which is being promoted by the California State Controller's Office and the Contra Costa County Treasurer's office. This program is intended to help low income seniors who are struggling to pay their property taxes. The program is funded by the State of California, and I understand the funds are somewhat limited, and they are available on a 'first come, first served' basis.

A person must be 62 years or older or have a disability, and have an annual income of less than \$35,500 to qualify (among other requirements).

(Continued on page 2)

(President's Message continued from page 1)

Once accepted into the program, the senior is allowed to defer their property tax payments indefinitely, or until one of several conditions occur.

If you are interested, or know someone who might benefit from this program, you can get the full details of this program and where to apply on page 7 of this newsletter.

SCHOLARSHIP APPLICATIONS: Beginning January 1st and running through March 31, CCCREA will be accepting scholarship applications for 2017. Copies of the application and application instructions can be obtained on our website, <http://www.cccera.info>. You can email me at: mesloan1@aol.com, or you can send the request to CCCREA Scholarship, P.O. Box 2973, Martinez, CA 94553. The information can either be sent as an email attachment or forwarded to you via U.S. Mail.

Again this year, CCCREA will be awarding three \$1,000 scholarships in May, and make the presentations to the award recipients at the June Luncheon at Zio Fraedo's in Pleasant Hill.

SPECIAL DISCOUNT FOR CCCREA MEMBERS: While soliciting donations for the CRCEA conference last month, I contacted the marketing division of Kelly Moore Paints. They were very generous in donating several items that we gave away in our registration bags, but they went one step further and offered us a 'national account' discount to all CCCREA members. This discount will amount to about 35% on all paint and 10-15% on painting supplies.

To get the discount, you simply have to give them the corporate code number which has been provided on this page. I would recommend you cut this coupon out of the newsletter and save it for possible later use. I am told that all stores in California will honor the discount.

CALPERS LONG TERM CARE LAWSUIT UPDATE: This update comes directly from the website of the attorneys who filed the lawsuit, and there is really not much new from last quarter.

October 2016 Update - The class notice process is nearly complete, and we are pleased to report that things have gone very smoothly. To recap, we began sending out notice on July 8, 2016 and over the following 6-8 weeks notices were sent to 122,767 class members via email (if we had an email address) and by regular mail. Since that date, we have also received and responded to more than 500 calls from class members with questions, address updates, etc. The deadline to request exclusion was Friday, October 14, 2016, and so far we have only received 145 opt-out requests. This means that approximately 99.9% of the class has chosen to participate, which demonstrates the overwhelming support for this case.

Class counsel has also been busy working on a number of other issues over the past three months.

(Continued on page 8)

KELLY-MOORE® PAINTS

All members of the CCCREA will be able to access discounted paint and sundry items with the following account information.

Account # 620-CC1600

The discount is available at all Kelly Moore locations.



kellymoore.com



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NCUA

2017 Luncheon Dates

- ☐ March 9
- ☐ June 8
- ☐ September 14
- ☐ December 14



Remember, if you are a new member your first lunch is free. Just be sure to call in your reservation and let us know you're a new member.

The telephone number is 925-228-1600. Please feel free to invite friends who have recently retired to our luncheon!

CRCEA CONFERENCE DATES



The next conference will be held on
April 24 - 26, 2017

At the Crowne Plaza Hotel in Ventura, CA

More information is online at:

www.crcea.org

2017 Regular Meeting Dates

- January 10
- February 14
- April 11
- May 9
- July 11
- August - No Meeting
- October 10
- November 14



Contra Costa County Retired Employees Association Board of Directors

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mesloan1@aol.com

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The holidays are almost here and what sweeter way to celebrate than to give a See's gift certificate so that the person may have the candy of their choice. The certificates are \$15.50 each and you are saving over \$3.00 per pound. We have them for sale at the luncheons or you can mail your request to CCCREA, P.O.Box 2973, Martinez, Ca. 94553. If you are requesting by mail please add \$1.50 postage for up to five and \$3.00 for more than 5. Make checks payable to CCCREA.

The See's Discount store will be open again this year at 1975 Diamond Blvd., Concord (Willow's Shopping Center). Just show your membership card for CCCREA and you will get the discounted price. The store will open on November 16th and close December 24th.

CRCEA Legislative Report For September 2016

By Art Goulet, CRCEA Legislative Chair

This will be the last report for this legislative year, unless the Legislature overrides one or more of the Governor's vetoes mentioned below.

Bold text represents changes since the last report

AB 241 (Gordon) required, notwithstanding any other law and under certain conditions, a local public entity to provide the name and mailing address of each retired employee or his or her beneficiary receiving the retired employee's retirement benefit to any 501(c)(5) organization that is incorporated for the purpose of representing retired employees or their beneficiaries as members of the organization in the neutral evaluation process required under current law before a public entity may file for bankruptcy under Chapter 9. The problem with this bill was that most county retiree associations are not 501(c)(5) organizations but, rather, 501(c)(3), (4), or (7) organizations. 501(c)(5) organizations are labor organizations formed for collective bargaining purposes, not to represent retirees, although a 501(c)(7) organization composed of retired employees can qualify for exemption as a labor organization under IRC 501(c)(5) where it acts to secure and maintain retirement benefits for its members. I am only aware of a single county retiree association that is a 501(c)(5) organization; the Contra Costa County Retired Employees Association (CCCREA). Since no 1937 Act county has yet declared bankruptcy, and the June 9 amendment limited the applicability of the bill to bankruptcies filed prior to Dec. 31, 2011, the bill as it currently exists is of no importance to CRCEA members. **The bill passed the Senate on August 15 (27-11), the Assembly on August 18 (65-11) and was sent to the Governor, who signed it on September 9 (Chap. 252).**

AB 1692 (Bonilla). CERL, among other things, authorizes the Board of Supervisors of Contra Costa County to make a Tier Three retirement plan applicable to certain non-safety officers and employees for whom the board is the governing body, and sets forth the terms and conditions of disability retirement allowances for Tier Three members. This bill would authorize that Board to apply the same terms and conditions to those non-safety officers and employees who are new members subject to the retirement formulas specified in PEPR. **The bill passed out of the Senate on August 1 (38-0), and the Governor signed it on August 17 (Chap. 123).**

AB 1812 (Wagner) would prohibit the retirement benefit paid to a member of any public retirement system from exceeding \$100,000 if the employee's service is not included in the federal social security system, and from exceeding \$80,000 if the employee's service is included in the federal social security system. The bill would also require that those amounts be adjusted annually by each public retirement system using the Consumer Price Index (CPI) for All Urban Consumers. This bill would apply to a public employee who is first employed by a public agency and becomes a member of any public retirement system on or after January 1, 2017. As you may recall, PEPR limits pensionable compensation, not the retirement benefit, and provides for adjustment of it annually

based on the change in CPI for All Urban Consumers, U.S. City Average, from September to September. **The bill is dead.**

AB 1853 (Cooper) is a very important bill sponsored by SACRS. It would authorize the retirement boards operating under the County Employees' Retirement Law of 1937 (CERL) to modernize the operating authority structure for their system so that they can continue to fulfill their mission and meet the fiduciary responsibilities they owe to their stakeholders. Some years ago, 1937 Act systems began efforts to gain a more modernized operating authority structure. The primary mechanism for achieving this was to make the retirement system a separate employer from the county, but whose employees would participate in the retirement system, thereby making the retirement board the final decision maker and implementer of certain personnel matters; i.e., salaries and fringe benefits. Typically, all employees working for county retirement systems are county employees, and the county sets salaries and fringe benefits. Up to now, the systems who have been authorized by the Legislature to change their operating structure are OCERS, SBCERA, CCCEA, and VCERA. Each structure is different. They vary from explicitly named classifications, to broad categories of employees, or to all employees who perform work for the retirement systems. This bill would have allowed all systems to choose to adopt the OCERS, SBCERA, or CCCEA model, or do nothing. That is, the bill does not mandate change, but provides options for change if the retirement board chooses to do so. Additionally, the bill would allow any of the systems who previously were given some operational authority to change their structure to elect a different model. **The bill was vetoed by the Governor on September 23. His Veto message was "This bill authorizes the retirement board of any county retirement system, operating under the Retirement Law of 1937, to unilaterally separate from the county where it operates.**

This is too far-reaching. Previous bills that authorized a county retirement system to become independent were the result of agreement between the county and the retirement system. This more collaborative approach better serves the public interest."

What the Governor failed to recognize is that moves for independence derive from situations where the County is uncooperative in terms of establishing needed positions or in establishing appropriate salary ranges for the very specialized positions necessary for proper administration of the retirement system. Under those circumstances, it is hard to see how agreement with the county on legislation authorizing separation could be reached.

(Legislative Report continued from page 4)

AB 2376 (Assembly PE, R & SS Committee) CERL requires that the regulations adopted by a board of retirement include provisions for the filing of a sworn statement by every person who is or becomes a member, showing date of birth, nature and duration of employment with the county, compensation received, and other information as is required by the board. This bill would authorize the regulations, in lieu of a sworn statement, to provide for the submission of the information by a member's employer instead of the person. Additionally, this bill would authorize the alternate retired member to vote as a member of the board if the 8th member is present and both the 2nd and 3rd, both the 2nd and 7th, or both the 3rd and 7th members are absent for any cause. This provision is sponsored by CRCEA. **The Senate amendments were concurred in by the Assembly on August 1 (76-0) and the bill was sent to the Governor, who signed it on August 17 (Chap. 134)**

AB 2833 (Cooley) would, for contracts entered into on and after January 1, 2017, require a public pension or retirement system to require private equity fund managers, partnerships, portfolio companies, and affiliates to make specified disclosures regarding fees and expenses in connection with limited partner agreements on a form prescribed by the system. Consistent with requirements relating to public records, the bill would require a public pension or retirement system to disclose the information received in connection with the limited partner agreements at least once annually at a meeting open to the public. This bill is in response to a lot of negative publicity about hidden fees and charges associated with investments by retirement systems in hedge funds and private equity. **The bill was signed by the Governor on Sept. 14 (Chap. 361).**

SB 294 (Pan) PERL provides that a member with an absence due to military service or service with the uniformed services has the right to receive credit for service under specified conditions for that absence and requires the member's employer to contribute both the employee and employer contributions for that service credit. This bill would require the CalPERS to provide a separate and unique form to be used by a member to receive credit for that military service and would require the form to clearly state that the member has no obligation to pay for any portion of the employer contribution if eligibility is determined under

the specified conditions. The bill would also require employers to provide the member with that form and inform the member of his or her rights to receive that credit with employer-paid contributions within 30 days of the member's return to state service and, until April 1, 2017, would further require state agencies to provide letters or electronic communications to all employees informing them of those rights. This bill would also require an employer to inform a new employee upon hiring of the rights to purchase service credit for certain active service, prior to the person's first employment with that employer or entrance into the retirement system, in the Armed Forces of the United States or in the Merchant Marine of the United States. **The bill was signed by the Governor on Sept. 27 (Chap. 707)**

SB 897 (Roth) Existing law (Labor Code sec. 4850) provides that certain peace officers, firefighters, and other specified public employees are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment, for the period of the disability, but not to exceed one year. The leave of absence is in lieu of temporary disability payments or maintenance allowance payments otherwise payable under the workers' compensation system. The payment made during the leave of absence is tax-free and the time during the leave counts towards service in the retirement system. This bill would apply to and allow only police officers, firefighters, and sheriffs employed by local agencies an additional year of a leave of absence without loss of salary. The bill was amended on March 29 to limit its application to catastrophic injuries at the hands of another, such as severe burns, severe bodily injuries resulting from a building collapse, and severe bodily injuries resulting from a shooting or stabbing. The catastrophic injury must have been incurred, during duty, through the direct result of the actions of another, including a battery, or through active firefighting operations without respect to the cause of the fire. **It was amended and passed out of the Assembly on August 22 (71-2). The Senate concurred in the amendments on August 25 (36-1) and sent it to the Governor, who vetoed it on Sept. 30. His message was:**

"This bill doubles from one to two years special leave benefits for police officers, firefighters, or sheriffs who are disabled by a qualifying catastrophic injury. This leave is required to be provided at full salary and tax-free, resulting in take home pay that is

higher than pre-injury wages. I was concerned when told this bill was prompted by a City of Riverside police officer who nearly lost his health benefits while on temporary disability. In that case, the City chose to extend the officer's benefits. Upon closer review, I have not found any other city which terminates the health benefits of police officers while they are on temporary disability. As noted in my veto of AB 1451 last year, this disability leave benefit drives up costs significantly. Many local agencies are under significant financial stress. They must consider employee benefit increases in light of competing demands for critical services and long term pension and health care debts. In light of all this, I believe the decision on how to handle cases such as this is best left to the local jurisdiction."

SB 1203 (Hertzberg) authorizes a joint powers authority (JPA) to offer defined benefit plans or formulas that are not PEPPRA plans or formulas, provided that the plans or formulas were those the employees received prior to the creation of the authority, the employees are not new members under PEPPRA, and they are employed by the JPA with 180 days after its creation. **It passed in the Assembly on August 18 (74-1) and was sent to the Governor, who signed it on Sept. 27 (Chap. 729).**

SB 1436 (Bates) Existing law authorizes the legislative body of a local agency to hold a closed session regarding the salaries and fringe benefits of its unrepresented employees, but prohibits the closed session from including final action on the proposed compensation of such employees. This bill would require the legislative body to orally report a summary of a recommendation for final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting prior to taking final action. This appears to be a liberalization of current requirements since, currently, the final action must be agenized and, typically, there is a written report on the recommendation. **The bill passed out of the Assembly on August 4 (77-0), and was signed by the Governor on August 22 (Chap. 175).**





PASSAGES



Some people come into our lives and quickly go. Some people move our souls to dance. They awaken us to new understandings with the passing whisper of their wisdom. Some people make the sky more beautiful to gaze upon. They stay in our lives for awhile, leave footprints in our heart, and we are never ever the same.

~ Chicken Soup for the Soul

Barbara Everhart 7/24/16

Jacquelyn Fava 7/28/16

Avonna Huff 5/12/16

Kay Jogopulos 7/4/16

William Martindale 8/20/16

Wilma McBride 9/6/16

Margaret Myhrer 6/20/15

Marianne Perron 8/11/16

Erma Rapp 9/14/16

Shirley Roskelley 8/16/16

Marvin Scott 9/22/16

Samuel Treese 8/31/16



Welcome New Members



WELCOME !

*Barry Whitcomb
Richard Alexander
Maria Lovalvo
Carol Sheridan
Sharon Herrera
Lucine Flynn*



California Property Tax Postponement Program

Do you or a loved one need help keeping up with residential property tax payments?

The PTP Program allows eligible homeowners to postpone payment of property taxes on a primary residence.

- To be eligible for PTP, you must:
- Be at least 62, or blind, or have a disability;
- Own and occupy the home as your primary place of residence;
- Have a total household income of \$35,500 or less;
- Have at least 40 percent equity in the property; and
- Other requirements.

The interest rate for taxes postponed under PTP is 7 percent per year. Funding for the program is limited, and applications will be processed on a first-come, first-served basis. Only current-year property taxes are eligible for postponement. Repayment under the PTP Program becomes due when the homeowner:

- Moves or sells the property;
- Transfers title;
- Defaults on a senior lien;
- Refinances;
- Dies; or
- Chooses to obtain a reverse mortgage.

PROPERTY TAX
POSTPONEMENT
PROGRAM



More details are available on the State Controller's website, www.sco.ca.gov or (800) 952-5661.

You can also contact the Contra Costa County Tax Collector's Office at www.cctax.us
or (925) 957-5280.



(President's message from page 2)

We have continued to seek discovery from CalPERS and other entities connected with the Long Term Care ("LTC") Program. For instance, in November and/or December we will be deposing several witnesses from United Health Actuarial Services, including the consulting actuaries who were primarily responsible for preparing the valuation reports for the CalPERS LTC Program during the relevant time period. The parties have also agreed on a schedule for defendant Towers Watson's motion for summary judgment. The motion will be filed November 15, 2016, opposed by Plaintiffs on January 6, 2017 and heard by the Court on February 3, 2017. We have also agreed on a schedule for Plaintiffs and CalPERS to bring cross-motions for summary judgement. The schedule, which has been submitted to the Court for approval, has the motions being filed in March 2017 and heard by the Court in June 2017.

NEW RETIREE GROUP COUNSELING SESSIONS: In recent months, the retirement office began holding group counseling sessions for active employees who are planning their retirements in one to three years. We have been granted permission to attend these sessions and give a short presentation on the benefits of membership in CCCREA. On October 27th, Petrenya Boykins and I met with 22 employees who were seeking information about retirement, and although they are not able to become members until they actually retire, all seemed to be genuinely interested in the services provided by CCCREA.

Future consideration may be given to allowing current, active employees who voice an interest in retiring to become affiliate or associate members until they are fully retired. This type of membership would give actives the ability to stay up with retirement issues via our newsletter. This group would not be able to vote on CCCREA business, nor would they be afforded the 50% subsidy for our quarterly lunches.

DECEMBER LUNCHEON: Our annual Christmas Luncheon will be held on December 8th at the Zio Fraedo's Restaurant in Pleasant Hill. This event is always well attended, and we will be having the Summer-set Singers as entertainment again this year. So while you are thinking about it, now is a good time to fill out the included registration form and send it in.

As most of you are aware, parking at the restaurant for this event is somewhat limited, so please plan to car pool with friends if it is at all possible. The overflow parking ends up in the Walgreen's lot, and this can make it difficult for their customers. So if you have any drug store needs, please consider making a purchase at their store before leaving, as a way to thank them for putting up with our intrusion into their space.

HOLIDAY SHOPPING SAFETY TIPS

Shopping in Stores:

- Do not buy more than you can carry. Plan ahead by taking a friend with you or ask a store employee to help you carry your packages to the car.
- Save all receipts. Start a file folder to keep all receipts together and to help you verify credit card or bank statements as they come in.
- Have your source of payment easily accessible. You do not want to be distracted fumbling through your purse or searching your pockets and have a thief steal an item from you.

- Tell a security guard or store employee if you see an unattended bag or package. The same applies if you are using mass transit.
- If you are shopping in another city, have the emergency phone numbers for that city pre-programmed into your cell phone.

Walking to and From Your Car:

Pay attention to your surroundings as you park, exit your vehicle and enter your vehicle. Do not park near suspicious people or vehicles. If you are walking out to your vehicle and see suspicious people or vehicles, return to the store and ask store security for assistance walking you to your vehicle.

Have your keys in your hand when you are walking to and from your vehicle. Weave the keys in between your fingers and have the alarm button in your palm. The keys can be used as a weapon and you may be able to activate your vehicle alarm if necessary.

- **Deter pickpockets!** Use a purse that has a zipper for the main compartment. Carry your purse close to your body or your wallet inside a coat or front trouser pocket.
- **Stay off of your cell phone (that includes texting) when walking thru a parking lot.** Criminals look for distracted shoppers. Have your keys in hand when approaching your vehicle. Check the back seat and around the car before getting in.
- Do not leave packages in a location where they are visible, place items in the trunk is possible. If you are going to continue shopping in the same shopping area, move your vehicle to another location. Thieves sit in parking lots and watch people, waiting to see which cars to burglarize.

Online Shopping:

- Before surfing the Internet, secure your personal computers by updating your security software. Everyone's computer should have anti-virus, anti-spyware, and anti-spam software, as well as a good fire- wall installed.
- Keep your personal information private and your password secure. Do not respond to requests to "verify" your password or credit card information unless you initiated the contact. Legitimate businesses will not contact you in this manner.
- Beware of "bargains" from companies with whom you are unfamiliar—if it sounds too good to be true, it probably is!
- Use secure websites for purchases. Look for the icon of a locked padlock at the bottom of the screen or "https" in the URL address. The "s" = a secured site.
- Shop with companies you know and trust. Check for background information if you plan to buy from a new or unfamiliar company.
- Print and save all confirmation information from your on-line purchases





Contra Costa County
Retired Employees Association,
Local One

*Christmas
Luncheon*

With the Sunset Singers

Please call Local One (925) 228-1600
if you require a vegetarian lunch

Return the bottom portion along with your check made
payable to CCCREA **no later than December 1st**

*Thursday
December 8, 2016*

*Zio Fraedo's
611 Gregory Lane
Pleasant Hill*

11:30 am: No Host Cocktails

*12:00 pm: Lunch
Choice of Prime Rib*

Or

Chicken Cordon Bleu

I will attend the luncheon on Thursday, December 8, 2016.

Enclosed please find my check made out to CCCREA. Prime Rib _____ Chicken _____

Name _____

Address _____ Phone No. _____

City, State Zip _____

Names of Guests _____

Member: _____ @ \$14.00 = _____

Guests: _____ @ \$28.00 = _____

Total: _____