

Fresno County First 5 chief says Henry R. Perea's grudge spurred commission change

 fresnobee.com/2014/06/17/3983022/fresno-county-first-5-chief-says.html

By John Ellis

Fresno County supervisors' decision Tuesday to change the structure of First 5 Fresno County's governing commission launched a major response from the agency's outgoing leader.

And First 5 Executive Director Kendra Rogers had one supervisor, Henry R. Perea, clearly in her sights, releasing text messages to The Bee after the meeting that she said show that a grudge motivated Perea to attack her agency.

Perea had pushed a proposal to nearly cut the First 5 commission in half, from nine members to five. Supervisors on Tuesday voted 5-0 to take the commission down to seven members.

From the dais Tuesday, Perea said it had nothing to do with changes in direction or staffing at First 5, and there was no question about the work being done by the agency.

"I just think it is doing fine just the way it is," he said of First 5. "But do I believe there should be a change in the governance structure? The answer is yes. I think that's healthy for any organization."

Beyond that, there was no discussion on why the change was needed or how it would improve First 5, an independent agency that seeks to bolster health and education programs for children to age 5 and their families.

After the meeting, Rogers -- who is leaving the agency next month -- said she is the reason for Perea's push to reduce the commission size.

It was, she said, a way for the supervisors to get more control over the commission so it could ultimately fire her. Perea, Rogers said, went from being her ally to her detractor after she invited Fresno Mayor Ashley Swearingin in January to the groundbreaking for a new First 5 building under construction in downtown Fresno.

Rogers provided The Bee with text messages from Perea from the time when news broke that Swearingin would attend the groundbreaking. "Mayor Swearingin..... r u kidding me?????" Perea texted.

"The city shouldn't have been included?" Rogers responded.

"No," Perea texted back. "considering the craziness we r dealing why wave a red flag in front of a bull? R we ready to sacrifice the agency and staff for this?"

Texts then came from Perea's assistant, ending with one saying Perea "said to take him off the speaking list and he doesn't need to be quoted on the press release."

From that point on, Rogers said, Perea no longer talked to her, even though he was chair of the First 5 commission and she was the agency's executive director. He then called for a closed session, she said, to discuss her job performance.

Perea's push to reduce the commission size started, Rogers said, before she announced she was leaving

for another job.

In 2008, Perea's son Henry T. Perea ran against Swearingin in the mayor's race and lost. Henry T. Perea is now a state Assembly member.

Perea declined to respond to Rogers' allegations or discuss the text messages.

"I think today's action by the board was a good compromise, and keeps the board and everybody focused on serving the children of Fresno County," he said.

Cutting the commission's size was just one of more than a dozen proposed changes to First 5 that were part of a two-hour discussion by supervisors. Several -- such as requiring the agency to present its budget annually to the supervisors, as well as the county auditor and chief administrative officer -- were widely supported, but some were controversial and drew comments from several people at the meeting.

None moved forward Tuesday. The board decided to further refine -- or possibly eliminate -- some of the proposed changes and then reconsider them at the July 29 meeting.

Among those changes are proposals to tighten requirements about who can serve on the board and possibly dictate to the agency when it would have to contract with the county for administrative support services.

But the only actual vote the board took was to reduce the size of First 5's governing body.

It wasn't a popular choice for several people who addressed the board, or for Supervisor Andreas Borgeas, the current chair. Still, the vote was 5-0 to make the change to seven members.

Al Smith, president and CEO of the Greater Fresno Chamber of Commerce, said public commissioners should be experts from such fields as local school districts, childhood development or local medical and pediatric societies.

Smith said that if the board size is reduced -- especially to the five Perea initially proposed -- it would be hard to get enough experts from those categories.

Hugo Morales, Perea's appointment to the First 5 commission, said he, too, opposed reducing the size of the agency commission to five.

Longtime community activist and former First 5 contractor Nancy Richardson followed Smith and summed up her feelings by saying "First 5 is not broken."

Supervisors Phil Larson, Judy Case McNairy and Debbie Poochigian didn't voice strong opinions about their preference for the size of the First 5 commission.

Under the new board, four members will be from the public, and appointed by the supervisors as a group. One member will be a supervisor. The final two will be county employees from areas such as public health services, behavioral health services or social services.

Of the four public members, two will be required to live west of Highway 99, and the other two east of 99. It wasn't clear if the members must live outside an incorporated city.

At one point in the debate, Perea said, "We should expand that rural representation."

It was clear that the First 5 building under construction downtown still irks Larson, Case McNairy and Poochigian -- and that Perea still supports it "100%."

The nearly 44,000-square-foot, \$15 million building on Tulare Street between N and O streets in downtown will include a child-care center, classroom space and a community conference room in addition to First 5's administrative offices.

And, though never mentioned by name, it seemed Rogers is still a lightning rod.

"We're going to see maybe some different leadership with First 5 because of changes in career paths for some, and hopefully we'll have a better working relationship because I really think that's really been where the problem's been," Case McNairy said.

Rogers said she knew she wasn't popular with Case McNairy or Poochigian. Rogers has already talked of challenging Poochigian when she is up for re-election in 2016. The Perea proposal, she said, made it too much for her to continue with First 5: "It was in the best interest of the commission, its partners and its work for me to step down."

First 5 is funded by California's tobacco tax and has a budget this year of around \$11 million.

Among the items that will be discussed again at the July 29 meeting are the one that says the commission's public members and county professional members -- or their immediate family -- cannot work for, consult for, or be on contract with an agency that gets First 5 funding.

That seemingly would disqualify three current First 5 commissioners from service -- Central Unified Superintendent Mike Berg, Firebaugh physician Marcia Sablan, and Lisa Nichols, a Fresno Unified counselor.

Supervisors will instead consider three options:

- The original proposal, which would prohibit any commissioners from agencies that received First 5 funding.
- One that would permit those from such agencies, but only if they were in non-decision making positions. That would still disqualify Berg, for instance, but not Nichols, who is not in a decision-making position on funding at Fresno Unified.
- A third would permit such members, but put in place a provision requiring a commissioner to recuse himself or herself when funding for their own agency was on the agenda.

Another controversial item involved First 5 contracting with the county for administrative support services such as accounting, auditing and legal services.

The staff report used the word "shall" for the agency.

Poochigian said the board could completely kill the proposal, or maybe change the word "shall" to "may."

There will likely be other discussion as well, but Poochigian said much of it was work to clean up the language and fix typos.

In other action

- Supervisors voted to put Measure Z -- which provides funding for the Fresno Chaffee Zoo -- on the November ballot. The measure would ask voters throughout Fresno County if they want to continue the one-tenth-of-a-cent tax that went into effect 10 years ago.

Revenue to pay for the ballot measure will come from the nonprofit Fresno Chaffee Zoo Corp. and not from taxpayer dollars. The nonprofit will pay up to \$75,000 to place the issue on the ballot. Election costs are estimated to be about \$45,000.

- Supervisors approved as part of the consent agenda a proposal to allow employees who suffer a catastrophic illness or injury to stay on the county's plan for six more months. The latest proposal surfaced after the supervisors put limits on donated leave and then heard from employees with serious illnesses or injuries who were forced to pay higher insurance rates when their leave time expired.

Fresno County previously had let employees stay on leave as long as they were ill and got donations from fellow workers, with no limitation. Those employees retained their county salaries, stayed on county insurance and continued collecting money toward their retirement.

Under the leave policy that supervisors amended on April 29, employees on extended sick leave could not remain on the county health plan once they ran out of donated leave.

- Supervisors renewed the public safety contract with the Fresno Police Department for the housing Fresno car thieves. The contract, which was passed on a 5-0 vote, originally began Nov. 1, 2013 and was set to expire at the end of this month, but will now extend through June 30, 2015. The agreement sets aside five beds for Fresno police and guarantees that designated arrestees will not be released due to overcrowding.

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