



January 21, 2022

## NOTICE

The Board of Directors of the Kaweah Delta Health Care District will meet in the Sequoia Regional Cancer Center Maynard Faught Conference Room on Monday January 24, 2022 beginning at 5:30PM in a special open board meeting. The meeting will also be available via GoTo meeting (details on Board meeting agenda and at <http://www.kaweahhealth.org>).

All Kaweah Delta Health Care District regular board meeting and committee meeting notices and agendas are posted 72 hours prior to meetings (special meetings are posted 24 hours prior to meetings) in the Kaweah Health Medical Center, Mineral King Wing entry corridor between the Mineral King lobby and the Emergency Department waiting room.

The disclosable public records related to agendas can be obtained by contacting the Board Clerk at Kaweah Health Medical Center – Acequia Wing, Executive Offices (Administration Department) {1st floor}, 400 West Mineral King Avenue, Visalia, CA via phone 559-624-2330 or email: [cmoccio@kaweahhealth.org](mailto:cmoccio@kaweahhealth.org), or on the Kaweah Delta Health Care District web page <http://www.kaweahhealth.org>.

KAWEAH DELTA HEALTH CARE DISTRICT

Mike Olmos, Secretary/Treasurer

A handwritten signature in cursive script that reads "Cindy Moccio".

Cindy Moccio

Board Clerk / Executive Assistant to CEO

DISTRIBUTION:

Governing Board

Legal Counsel

Executive Team

Chief of Staff

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



## **KAWEAH DELTA HEALTH CARE DISTRICT SPECIAL BOARD OF DIRECTORS MEETING**

Sequoia Regional Cancer Center {4945 W. Cypress Avenue}  
Maynard Fought Conference Room  
Or

GoTo Meeting:

<https://www.gotomeet.me/CindyMoccio/special-board-meeting---community---redraw-the-lin>  
Or via phone: 872-240-3212 Access Code 278-566-077

We will have Spanish and ASL {sign language} interpreters present

**Monday January 24, 2022**

### **SPECIAL OPEN MEETING AGENDA {5:30PM}**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC PARTICIPATION** – Members of the public may comment on agenda items before action is taken and after it is discussed by the Board. Each speaker will be allowed five minutes. Members of the public wishing to address the Board concerning items not on the agenda and within the jurisdictions of the Board are requested to identify themselves at this time. For those who are unable to attend the beginning of the Board meeting during the public participation segment but would like to address the Board, please contact the Board Clerk (Cindy Moccio 559-624-2330) or [cmoccio@kaweahhealth.org](mailto:cmoccio@kaweahhealth.org) to make arrangements to address the Board.
- 4. REDISTRICTING PROCESS** – Presentation from Redistricting Insights relative to the the process that will be used for the Kaweah Delta Health Care District Board to analyze the current zones using the 2020 census data to determine if the current district zone’s need to make adjustments to reflect how the local population has changed.  
*Redistricting Insights - Matt Rexroad, Chief Legal Counsel*
- 5. ADJOURN**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate at this meeting, please contact the Board Clerk (559) 624-2330. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Kaweah Delta Health Care District Board of Directors meeting.*

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**Mike Olmos – Zone**  
*Secretary/Treasurer*

**Lynn Havard Mirviss – Zone II**  
*Vice President*

**Garth Gipson – Zone III**  
*Board Member*

**David Francis – Zone IV**  
*President*

**Ambar Rodriguez – Zone V**  
*Board Member*

**MISSION: Health is our Passion. Excellence is our Focus. Compassion is our Promise.**



Prepared for the Kaweah Delta Health Care District

January 2022

# *WHAT IS REDISTRICTING?*

Redistricting is at its core the act of equalizing population among districts.

This is important in order to meet two requirements - one constitutional, one from Supreme Court precedent:

- Equal Representation (14th Amendment) - how effective any resident can be at advocating for themselves or being represented within a jurisdiction.
- One Person One Vote - equal ability to elect a candidate of choice.

# *WHAT IS REDISTRICTING?*

Redistricting has changed significantly over the years as federal and state laws, norms, best practices, and public opinion has transformed.

In California/Municipal Law:

- Prop 11 and 20 (Statewide Redistricting)
- CA FAIRMAPS Act

# *REDISTRICTING/REAPPORTIONMENT*

They are different things but people mistakenly conflate them

## Reapportionment

Allocating the 435 Congressional seats among the states

**N.Y. loses single seat in Congress by just 89 people as  
Census Bureau releases reapportionment figures**

April 26, 2021

## Redistricting

Drawing district lines within the states, counties, cities, school districts

# DEFINITIONS



## REAPPORTIONMENT

Census Bureau for Congress  
(30 seconds)

## REDISTRICTING

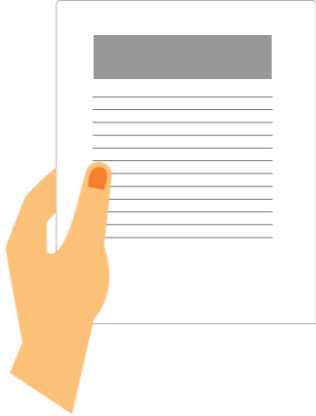
Done by states, cities, school boards

## GERRYMANDER

# PRINCIPLES OF REDISTRICTING



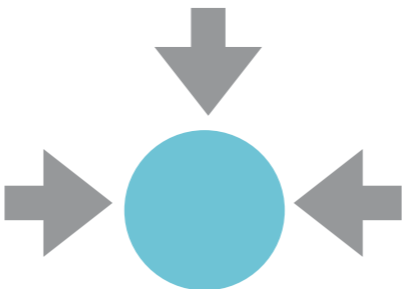
POPULATION EQUALITY



FEDERAL VOTING RIGHTS ACT  
SECTION 2



COMMUNITIES OF INTEREST



COMPACTNESS



CONTIGUITY



# POPULATION EQUALITY

*For Congress it is 1 person for deviation*

*For State and local governments it is a deviation range of 10%*

	Population	Deviation	% of Deviation
D1	21,000	1000	5%
D2	20,200	200	1%
D3	19,800	-200	-1%
D4	19,250	-750	-3.75%
D5	19,750	-250	-1.25%

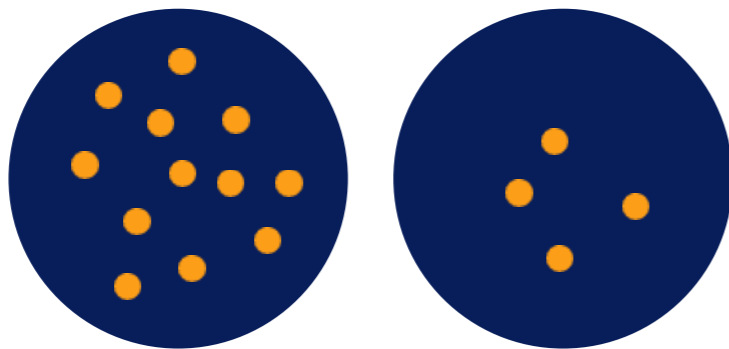
*\*These numbers are just an example and not reflective of the district's current population*

# *EQUAL POPULATION*

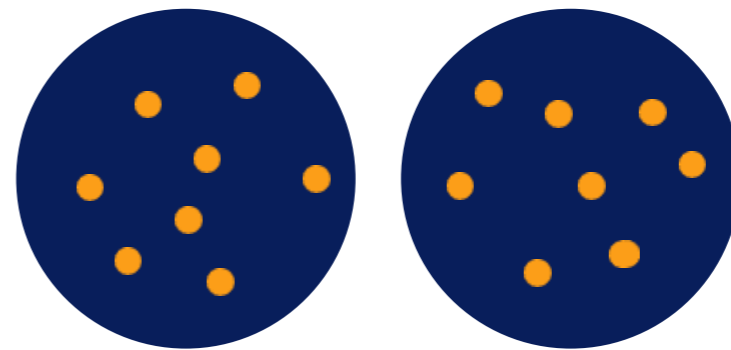
What is “equal” population has been a key subject in redistricting litigation.

- Population Equality is based on “People” not citizens or voters or other metrics.
- The metric used is called “deviation” which is a measure of how close a district is to equal size.

Not Equal Districts



Equal Districts

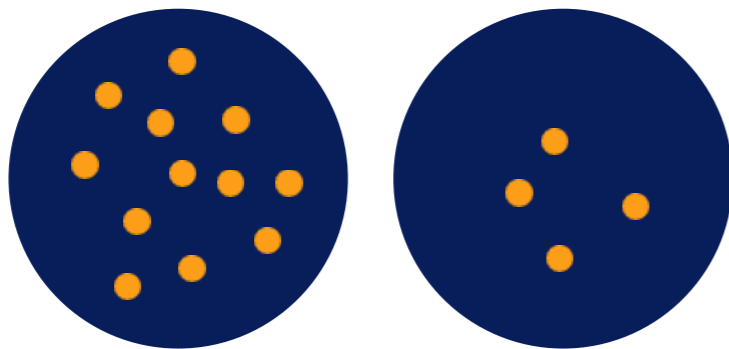


# EQUAL POPULATION

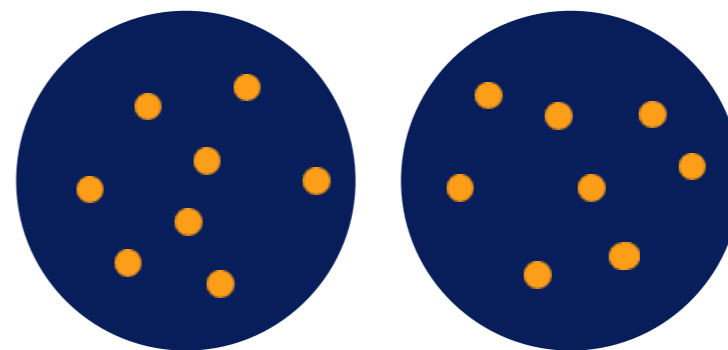
What is “equal” population has been a key subject in redistricting litigation.

- Equality is Required
- *Strict adherence to a numeric goal for equality beyond what is required is not necessarily better.*

Not Equal Districts



Equal Districts



# FEDERAL VOTING RIGHTS ACT



FEDERAL VOTING RIGHTS ACT  
OF 1965



MOBIL V. HOLDER (1980)



CONGRESSIONAL RESPONSE TO  
MOBIL V. HOLDER (1982)



THORNBURG V. GINGLES (1985)

# WHAT IS THE VOTING RIGHTS ACT?

The decision to invoke Section 2 is something that requires legal counsel.

Does the minority population qualify under Section 2?

Is the proposed district a sufficient remedy – is it an “effective” majority minority district?

Is there a claim for a coalition district?

*Without Section 2, a community of interest can still be supported but race cannot be a predominant factor in drawing lines.*

# *GINGLES FACTORS*

“Gingles factors” are three preconditions that a minority group must meet to establish a violation of Section 2 of the Voting Rights Act. These preconditions are the following:

1. A minority group must be sufficiently large and geographically compact to comprise a majority of the district;
2. The minority group must be politically cohesive (it must demonstrate a pattern of voting for the same candidates, also known as “bloc voting”); and,
3. A majority of voters vote sufficiently as a bloc usually to defeat the minority group’s preferred candidate.

# *BUT THE GINGLES FACTORS HAVE LIMITS.....*



SHAW V. RENO, [509 U.S. 630](#) (1993)

SIGNIFICANCE: Legislative and congressional districts will be struck down by courts for violating the Equal Protection Clause if they cannot be explained on grounds other than race. While not dispositive, “bizarrely shaped” districts are strongly indicative of racial intent.

MILLER V. JOHNSON, [515 U.S. 900](#) (1995)

SIGNIFICANCE: A district becomes an unconstitutional racial gerrymander if race was the “predominant” factor in the drawing of its lines

Source: NCSL

# COMMUNITIES OF INTEREST

Redistricting plans are built with census data to put communities of interest together to form districts.

When members of the public come forward to testify about their communities it can be almost anything.

Items to consider:

- What is the community of interest that is being described through the testimony?
- What is the geographic area of that community of interest?
- What data can be utilized to help identify that community of interest?
- How does that community of interest relate to Kaweah Health?



# COMPACTNESS

Many measures based on geography are available but in California we tend to adhere to

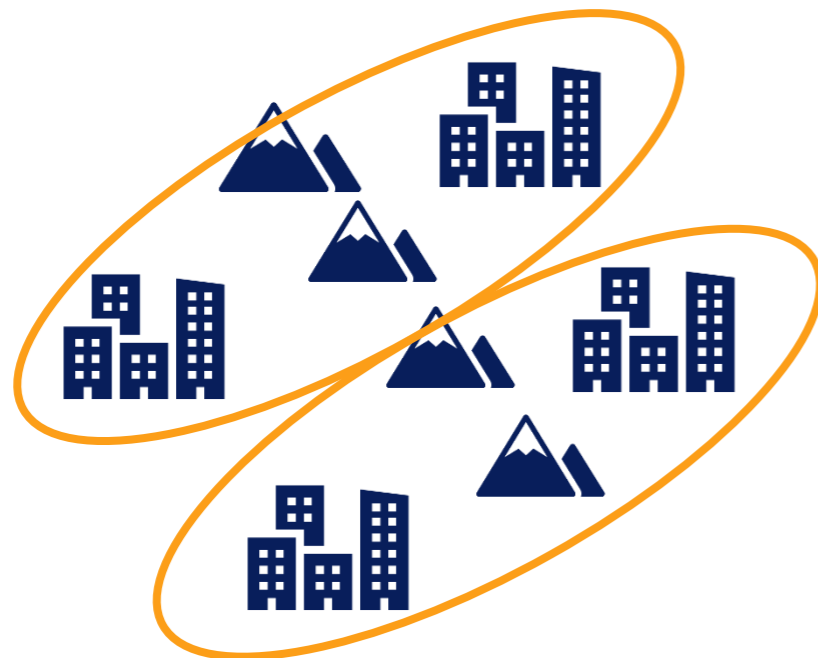
**“shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.”**

# CONTIGUITY

This is not an issue in most counties... unless they have islands.

State law does not allow point contiguity...it is advisable to seek functional contiguity where you can travel through the district to each point.

Point Contiguity



Functional Contiguity



# *WHAT IS REDISTRICTING?*

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In Public Opinion / Media:

- 97% of Voters agree that “local government should be required to have transparent / open redistricting.”
- Media and Community Based Organizations have become much more adept at covering redistricting.

# ONLINE MAPPING

There are other mapping tools the public may use, but are not controlled by the commission or city staff.

- These tools are *perfectly appropriate* for the community to use as input.
- Data and maps from these programs can be imported to our tools and reviewed by the commission.



# COMMUNITIES OF INTEREST

Bringing like people together for representation

What are you looking for in trying to judge the applicability of a Community of Interest to the redistricting process?



Group with shared culture / characteristics



Geographic Nature / Density / Ability to be mapped



Relationship to Agency / Policies

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# REDISTRICTING KAWEAH DELTA HEALTH CARE DISTRICT

2020 Census Results District Profiles

*January, 2022*

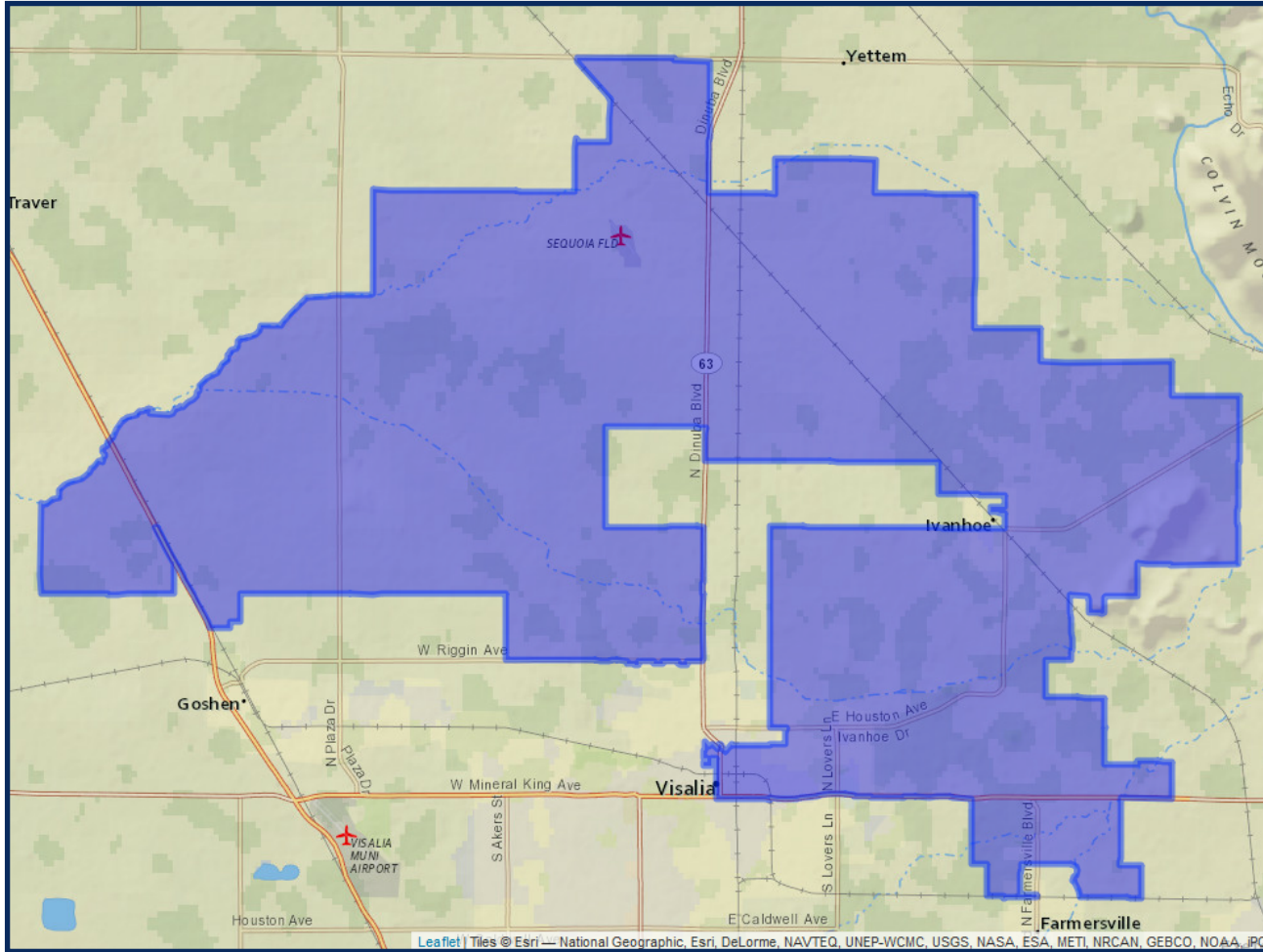
# REDISTRICTING KDHCD

## FULL DISTRICT

	DIVISION 1	DIVISION 2	DIVISION 3	DIVISION 4	DIVISION 5
2020 Census Count*	30,330	19,488	38,973	32,424	44,374
Deviation #	-2,788	-13,630	5,855	-694	11,256
Deviation %	-8.4%	-41.2%	17.7%	-2.1%	34.0%
2010 Census Count	27,101	18,266	36,237	28,685	36,724
2019 CVAP*	18,686	12,622	24,934	19,677	23,026
2010 CVAP	14,474	12,287	23,194	18,058	17,250

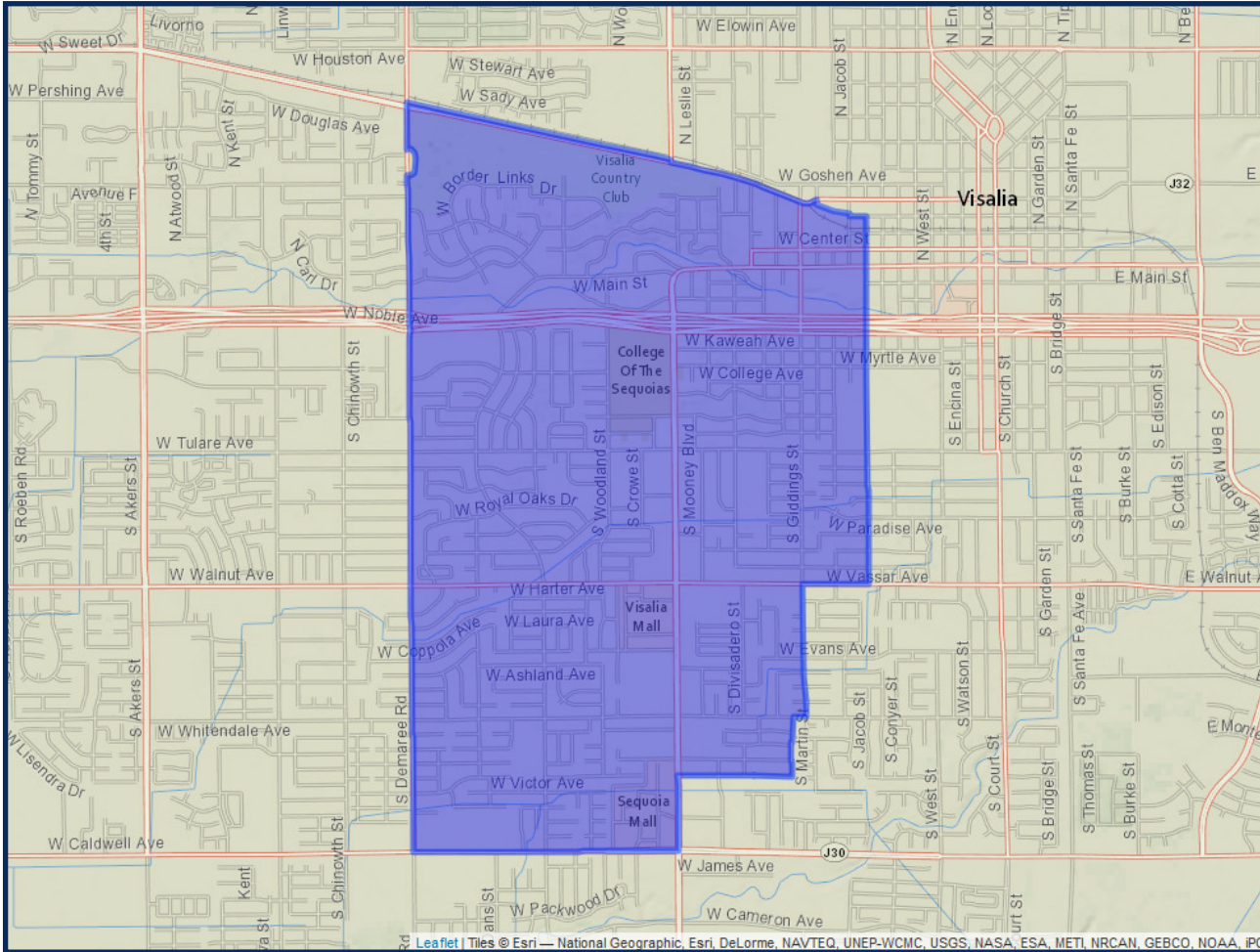


# REDISTRICTING KDHCD DIVISION I



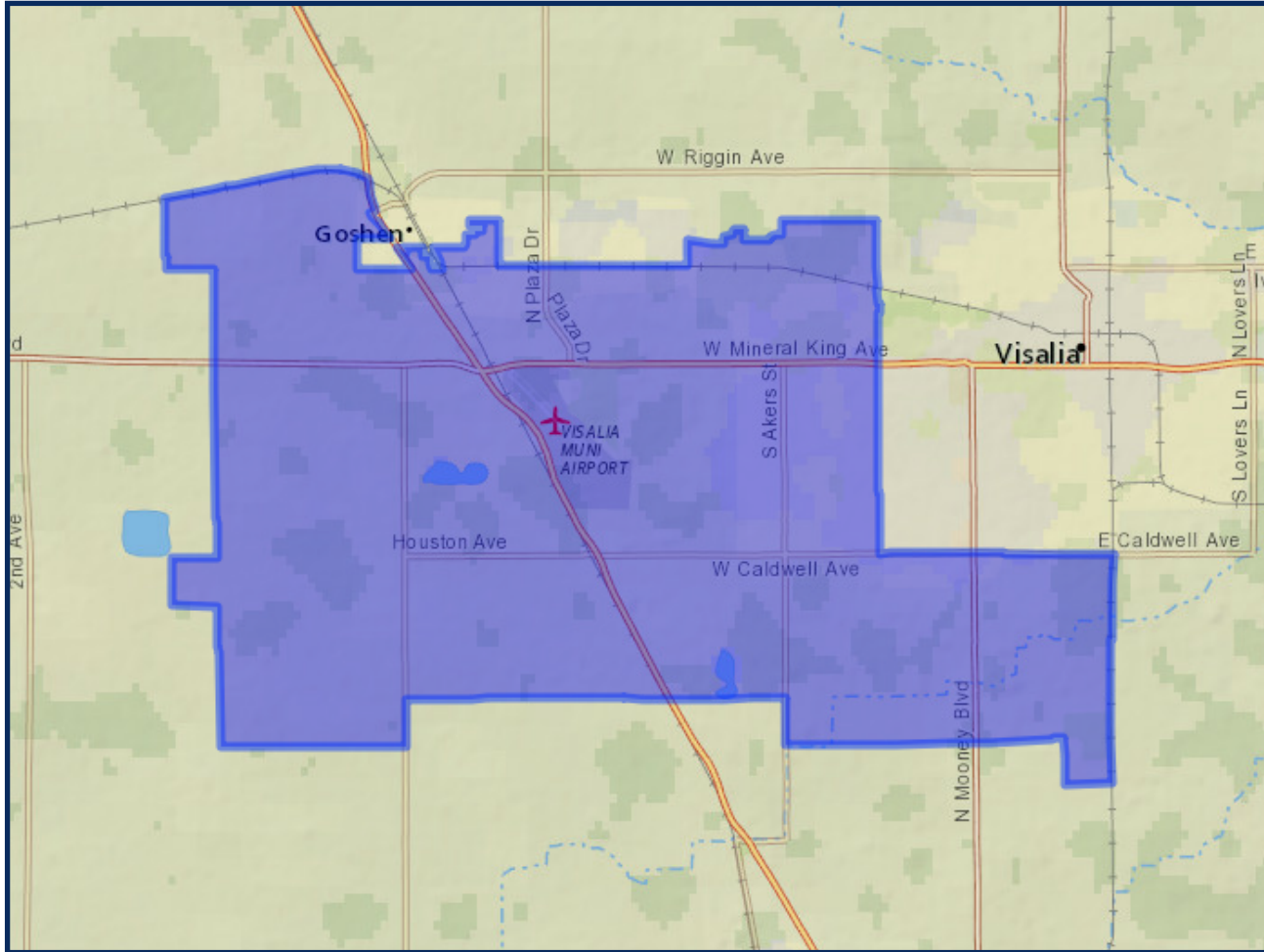
	2020 Count*	2019 CVAP*
Total	30,330	18,686
White	30.01%	44.42%
Black	1.25%	1.66%
Asian	4.21%	3.79%
Hispanic	61.07%	46.40%

# REDISTRICTING KDHCD DIVISION 2



	2020 Count*	2019 CVAP*
Total	19,488	12,622
White	42.34%	52.99%
Black	2.24%	4.91%
Asian	2.60%	3.03%
Hispanic	48.06%	36.52%

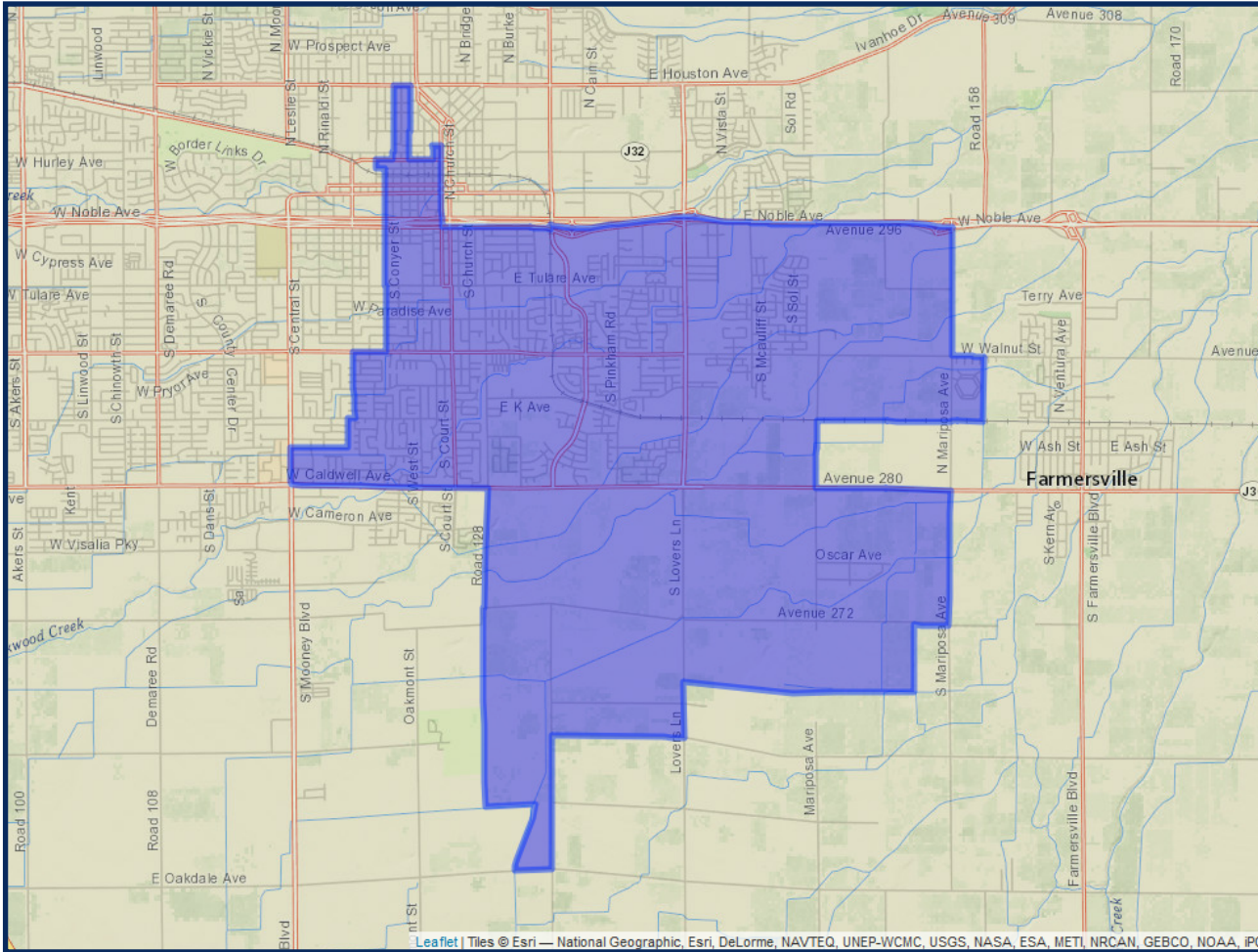
# REDISTRICTING KDHCD DIVISION 3



	2020 Count*	2019 CVAP*
Total	38,973	24,934
White	44.13%	56.99%
Black	1.58%	1.72%
Asian	5.24%	5.15%
Hispanic	44.16%	33.79%

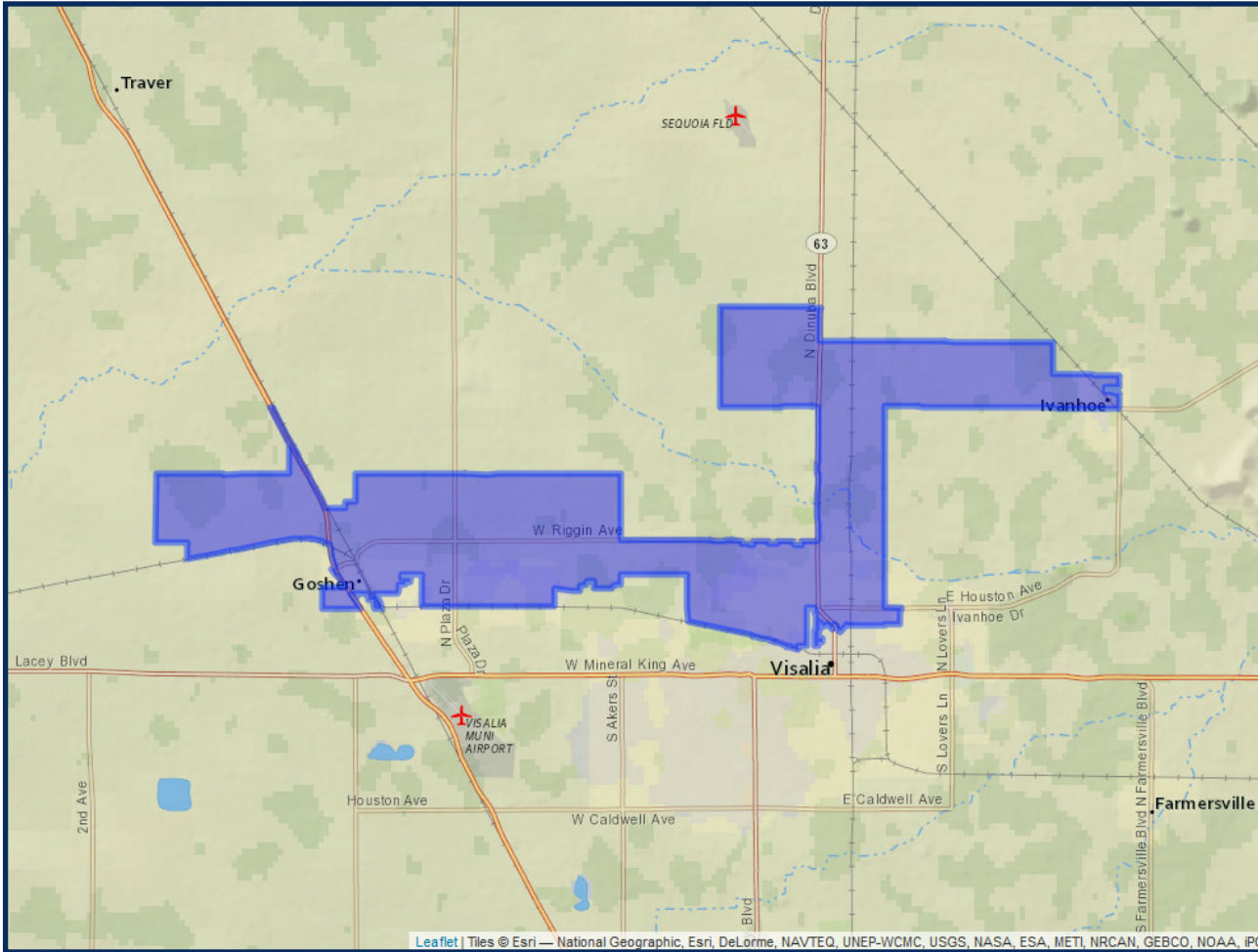


# REDISTRICTING KDHCD DIVISION 4



	2020 Count*	2019 CVAP*
Total	32,424	19,677
White	39.45%	54.39%
Black	1.70%	1.54%
Asian	3.86%	2.98%
Hispanic	50.19%	39.42%

# REDISTRICTING KDHCD DIVISION 5



	2020 Count*	2019 CVAP*
Total	44,374	23,026
White	20.69%	27.58%
Black	1.24%	0.72%
Asian	7.37%	7.69%
Hispanic	67.54%	62.52%