

Date: May 11, 2010

Item No. 7
File No. 10020

SUNSHINE ORDINANCE TASK FORCE
COMPLAINT COMMITTEE
AGENDA PACKET CONTENTS LIST*

- Jurisdiction; Kenneth Kinnard against the HR Commission**
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Chris Rustom

Date: May 06, 2010

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



SUNSHINE ORDINANCE TASK FORCE
 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
 Tel. (415) 554-7724; Fax (415) 554-7854
<http://www.sfgov.org/sunshine>

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission SF HRC

Name of individual contacted at Department or Commission Jill J. Couch / Melinda Kania

Alleged violation public records access 3-18-2010 - immediate disclosure leaves
 Alleged violation of public meeting. Date of meeting holding secret meetings

Sunshine Ordinance Section Sec. 67 + violation of open Government
JANUARY 2005 (if known, please cite specific provision(s) being violated)

Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.

on 3-18-2010, complainant made a IDR to
the HRC for the "document" naming large
contracts complainant was brokering in the HRC
draft minutes dated 1-13-2005 (C-Attached)

Do you want a public hearing before the Sunshine Ordinance Task Force? yes no
 Do you also want a pre-hearing conference before the Complaint Committee? yes no

(Optional)
 Name Kenneth Kinnard Address 3049 SACRAMENTO ST #5 S.F. CA 94115
 Telephone No. 415-567-9034 E-Mail Address KRAY.KINNARD@YAHOO.COM
 Date 4/23/10 (Signature)
 Signature

I request confidentiality of my personal information. yes no

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).



Gavin Newsom
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
San Francisco Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Theresa Sparks
Executive Director

April 23, 2010

Mr. Ken Kennard
P&K Trucking
3049 Sacramento Street
San Francisco, CA 9034 *94115*

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 APR 27 PM 3:08
BY *[Signature]*

Re: March 18, 2010 Sunshine Ordinance Request

Dear Mr. Kinnard:

I am in receipt of your letter dated April 22, 2010. Neither the contents of this letter, nor your letter dated March 18, 2010, can be deemed a valid request pursuant to the Sunshine Ordinance.

As we have advised you previously, we have provided you with all documents that exist with respect to your requests to this office over the years. At this time, there are no additional documents are available to be presented to you.

For your convenience, I have attached a program overview of the LBE certification program and the requirements for becoming certified. I urge you to read it to prior to making another request for documents from this office.

Regards,

[Signature]
Theresa Sparks
Executive Director

cc: Sunshine Ordinance Counsel



P & K TRUCKING
3049 Sacramento Street
San Francisco, CA 94115
Phone (415) 567-9034
Fax (415) 563-4191
Kraykinnard@yahoo.com

April 22, 2010

Ms. Jill J. Couch
Ms. Melinda Kanios
S.F. Human Rights Commission
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102-6033

re: March 18, 2010
Sunshine Ordinance Request
FOR IMMEDIATE DISCLOSURE
3RD NOTICE

Dear Ladies:

This letter is in response to your March 23, 2010 letter. To clarify, my March 18, 2010 request notices that P&K is identifying a single document and is noted. The "document" naming the "large contracts". This was made in a singular mode corresponding to your January 13, 2005 Human Rights Commission notes meeting.

Compliance does not require you to create a record nor can you dilute such a specific allegation in a series of papers. Such allegations of law breaking are serious and are perpetuated when you and Ms. Jill J. Couch stand in a public hearing at Sunshine Ordinance and promulgate repeatedly for all to hear the false allegations and refer to my company as a failure. To be falsely accused of something you didn't do is causing my Family great pain and suffering.

We have sought to re-certify our 3rd generation firm. We have always worked honestly in our profession since my Great Uncles and Father relocated the business from Texas to S.F. in 1948. My Cousin and I marched in the demonstrations on Van Ness Avenue that led to the creation of the HRC. This hate projected here is senseless and must end. We request that the HRC rescind in writing the false and baseless allegations and work with P&K to get African Americans working again.

Sincerely,
Kenneth Kinnard

CC: President Barack Obama

Honorable Barbara Boxer

Honorable Attorney General Eric Holder

NAACP

Mr. Willie Ratcliff, S.F. Bay View News

Attorney Michael Begert, Coalition Economic Equity

The Council for Legal & Equitable Rights re: Justice for African American
Contractors and Truckers.

Sunshine Ordinance Counsel



Gavin Newsom
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
San Francisco Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Theresa Sparks
Executive Director

Monday, March 22, 2010

Mr. Kenneth Kinnard
P & K TRUCKING
3049 Sacramento St. # 5
San Francisco, CA 94115

Sent via fax, email and USPS

Dear Mr. Kinnard:

This letter responds to your letter dated March 1, 2010 and received on March 9, 2010. You are concerned that the documents fail to meet your request for information.

On February 24, 2010 the documents were made available to you. You claim the documents don't satisfy your request for information. I encourage you to make arrangements to review the documents before concluding that they are no value to you. The documents are still available for the next 30 calendar days from the date of this letter. I encourage you to review the documents before rejecting them outright.

You must contact me directly by calling (415)252-2530 or by fax (415)431-5764 or by email Melinda.Kanios@sfgov.org to make arrangements for an appointment to review the documents or to have copies made for you. Jill Couch is no longer available to respond to requests for documents.

Sincerely,

Melinda Kanios
Coordinator, LBE Certification Unit



25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033



TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.sfgov.org/sfhumanrights



P & K TRUCKING
3049 Sacramento Street
San Francisco, CA 94115
Phone (415) 567-9034
Fax (415) 563-4191
kraykinnard@yahoo.com

S.F. HUMAN RIGHTS
COMMISSION
2010 MAR 22 AM 8:55

March 18, 2010

VIA FAX (415) 431-5764

Ms. Jill J. Couch or Melinda Kanios
S.F. Human Rights Commission
Contract Compliance
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102-6033

**SUNSHINE ORDINANCE REQUEST
FOR IMMEDIATE DISCLOSURE**

Dear Ladies:

This is a specific request for the following document:

Regarding the January 13, 2005 (draft) see attached

1. (document) naming large contracts
2. document naming or identifying large contracts
3. (document) naming large contract
4. document naming or identifying large contract

Sincerely,


Kenneth Kinnard

CC: Honorable President Barack Obama
The Honorable U.S. Senator Dianne Feinstein
The Honorable U.S. Senator Barbara Boxer
Honorable U.S. Attorney General Eric Holder
Honorable Secretary Ray Lahood
Mr. Willie Ratcliffe, San Francisco Bay View
Attorney Michael Begert, Coalition Economic Equity
The Council for Legal & Equitable Rights-Justice Committee for African
American Truckers & Contractors

P & K TRUCKING
3049 Sacramento Street
San Francisco, CA 94115
Phone (415) 567-9034
Fax (415) 563-4191
kraykinnard@yahoo.com

2010 MAR 11 PM 12:25

S.F. HUMAN RIGHTS
COMMISSION

March 11, 2010

Ms. Melinda Kanios
S.F. Human Rights Commission
Contract Compliance
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102-6033

SUNSHINE ORDINANCE REQUEST

FOR IMMEDIATE DISCLOSURE

Dear Ms. Kanios:

FAX 431-5764

This is a specific request for the following document (s),

Regarding the January 13, 2005 (draft) see attached.

1. Documents regarding large brokering services by P&K Trucking
2. Documents naming the large contracts P&K Trucking was brokering.
3. Documents & memos regarding correspondence or contact with Arbitrator Henry Epstein that you stated to the Chair of the Sunshine Ordinance your contact after the January 26, 2010 hearing.

Sincerely,


Kenneth Kinnard

CC: Honorable President Barack Obama
The Honorable U.S. Senator Dianne Feinstein
Honorable U.S. Attorney General Eric Holder
Honorable Secretary Ray LaHood
Attorney Michael Begert, Coalition Economic Equity
The Council for Legal & Equitable Rights- Justice Committee African
American Truckers & Contractors

S. F. HUMAN RIGHTS
COMMISSION

2010 MAR -9 AM 8:18

P & K TRUCKING
3049 Sacramento Street
San Francisco, CA 94115
Phone (415) 567-9034
Fax (415) 563-4191
kraykinnard@yahoo.com

Serving the
Bay Area Since 1948

March 1, 2010

Ms. Melinda Kanios
Coordinator, LBE Certification Unit
S.F. Human Rights Commission
25 Van Ness Avenue, Suite 800
San Francisco, CA 94102-6033

VIA FAX TO (415) 431-5764

Dear Ms. Kanios:

In response to your February 24, 2010 letter, the documents you refer to, fail to respond to my outstanding Sunshine request. You testified at the earlier hearing that you also had checked these files and were committed to looking in other places. The documents mentioned here I have seen and have been in your custody for several years. It's clear that nothing relevant exist. In light of your February 4, 2009 admitting that no records exist. i.e. not even a list of the "large contracts"/jobs. You should now comply with Sunshine Ordinance in written form stating that no responsive documents exist.

Reference:

1. HRC February 4, 2009 letter, Re: January 16, 2009 Public Records request.

"Dear Mr. Kinnard"

"HRC never filed charges against P&K Trucking. So, there are no items that directly satisfy your request. The only item we have that relates to your request is the minutes from the January 13, 2005 HRC Commission Meeting that includes a report of the hearing officer's final determination upholding HRC's denial to P&K Trucking's appeal for re-certification. In fact, you pointed these out to me during our conversation."

Note: You have looked through documents listed above and checked and replied that "there are no items that directly satisfy your request." You have also had more than a year to sift the files to find any other documents, as you testified to at the previous hearing.

2. Hearing Officers Final determination: January 13, 2005 minutes of HRC
Hearing Officer Henry Epstein's "Hearing Officer Decision" dated December 30, 2004 proof service by Mary Go swearing that she mailed copies to "Kenneth Kinnard 3049 Sacramento Street S.F. Ca 94115 and to Virginia Harmon, Executive Director Attention: Sophia Simpliciano, Maria Cordero, Catharine S. Barnes, HRC Counsel Human Rights Commission City County of San Francisco 25 Van Ness Avenue, Suite 800, San Francisco, Ca 94102-6033.

Line 25 of arbitrators findings

S.F. HUMAN RIGHTS COMMISSION
2010 MAR -9 AM 9:19

The arbitrator concluded that Brokers are illegal when they are used to and that I had applied for recertification as a trucker and that,

1. "MR. KINNARD WAS NOT APPLYING FOR CERTIFICATION AS A BROKER HE WAS APPLYING AS A TRUCKER."

PAGE 19 line 20 thru 21

The hearing officer referring to the subject of brokering went on to state that;

2. "THERE IS NO EVIDENCE IN THE RECORD IN THIS CASE TO SUPPORT AN INFERENCE THAT MR. KINNARD PLAYED THAT ROLE."

PAGE 19 line 19 thru 28.

At the time of my application for certification, P&K owned trucks, yet the HRC refused to allow my certification, in retaliation for my complaining to Supervisor Sophie Maxwell regarding blacklisting and unfair treatment of African American workers.

HRC CAMPAIGN OF RETALIATION

Don Hesse "p.s. my friends at Redeve Agency are having their day and Night with P&K".

Ed Lee Stating to witnesses "P&K might as well just melt their trucks"

Rogers worker Steve Navarro calls himself S&S trucking

"since P&K is the largest I want to make them an example for the others".

"I'll put those baboons out of business"

"their just \$20 niggers".

Steve Navarro also threatened the life of the witnesses against him who were in his presence when the illegal acts were committed and supplied direct incontrovertible evidence in sworn declarations.

ALSO: NEWSPAPER ARTICLES REGARDING P&K TRUCKING/ REFERENCES

WITNESS DECLARATIONS

Sincerely,


Kenneth Kinnard

CC: S.F. Sunshine Ordinance

The Council for Legal & Equitable Rights, Justice Committee African Amere



Gavin Newsom
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
San Francisco Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Theresa Sparks
Executive Director

Wednesday, February 24, 2010

Mr. Kenneth Kinnard
P & K TRUCKING
3049 Sacramento St. # 5
San Francisco, CA 94115

Sent via fax, email and USPS

Dear Mr. Kinnard:

The following items you requested are available for you to see and/or obtain copies:

1. P&K Trucking Certification File 1999 (89 pages)
2. P&K Trucking Certification File 2002 (60 pages)
3. Appeal of Denial of Certification by P&K Trucking (330 pages)
4. Hearing Officer's Decision (20 pages)

You may come to 25 Van Ness Avenue, Suite 800 to view the documents. They are ready for you to see immediately. If you want copies made, they cost 5 cents for each one sided sheet (8 1/2" X 11") or 10 cents for double sided sheets (8 1/2" X 11").

If you would like copies of these records you must send a check or money order payable to the SF HRC. We will make the copies and contact you as soon as they're prepared.

Please contact Jill Jay Couch at (415)252-2502 or email her at jill.jay.couch@sfgov.org to schedule an appointment or for further information about access to the documents.

Thank you in advance,

Melinda Kanios
Coordinator, LBE Certification Unit



25 Van Ness Avenue
Suite 800
San Francisco
California 94102-5033



TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.sfgov.org/sfhumanrights



2010 MAR -9 AM 8:18
S.F. HUMAN RIGHTS
COMMISSION