

Date: Jan. 5, 2010

Item No. 17 & 18
File No. 09079

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Kenneth Kinnard against Human Rights Commission**
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Completed by: Chris Rustom

Date: Dec. 30, 2009

***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.

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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 HUMAN RIGHTS COMMISSION

Name of individual contacted at Department or
Commission MELINDA KANIGS PHONE 252-2500

Alleged Violation Public records access SEC 67.25

Public meeting _____ Date of meeting _____

Sunshine Ordinance
Section 67.25 FAILURE TO RESPOND TO IDR

(If known, please cite specific provision being violated)

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

Do you wish a public hearing before the Sunshine Ordinance Task
Force? yes no.

(Optional)

Your name KEN KINARD Address 3046 SACRAMENTO ST

_____ Date 1/5/09

Telephone (415) 567-9034 If anonymous, please let us know how to contact
you.

Thank you. 

Notice: Personal Information that you provide is subject to disclosure under the California Public Records Act and the Sunshine Ordinance, except when confidentiality is specifically requested. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone Number, Fax Number, or Email address).

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

October 26, 2009

VIA FAX TO (415) 431-5764

Ms. Melinda Kanios
S.F. Human Rights Commission
25 Van Ness, Suite 800
San Francisco, CA 94102

See attached January 13, 2005 (draft)
Minutes of HRC public meeting

Re: **SUNSHINE ORDINANCE REQUEST**
For IMMEDIATE RESPONSE

Published MINUTES from January 13, 2005 (Draft) SF HRC
“When P&K Trucking applied for re-certification in 2002, the HRC found that the firm was no longer operating as a trucker, but rather providing brokering services for large contracts. Please verify contents of this published statement.

SET ONE
REQUEST 1 THRU 3

1. All documents, writings, notes, records related to P&K no longer operating as a trucker. **“no longer operating as a trucker”**
2. All documents, writings, notes, records related to P&K providing brokering services for large contracts. **“but rather providing brokering services for large contracts”**.
3. All documents, writings, notes, records related to the large contracts P&K was brokering. **“services for large contracts”**

QUOTES of the minutes that I am requesting Sunshine Ordinance response to are partial quotes from the January 13, 2005 (draft) minutes are underlined. In the minutes from the

January 13, 2005 (draft) HRC says the arbitrator chose to uphold this decision.

Thank you;

Kenneth R. Kinnard

**CC: President Barack Obama
Honorable Attorney General Eric Holder
Chair of the EEOC
Mr. Richard Knee, Chair Sunshine Ordinance
The Council for Legal & Equitable Rights
Committee for Justice for African American Truckers
And Contractors.**



City and County of San Francisco
Human Rights Commission

January 13, 2005 (Draft)

1. Call to Order and Roll Call

Chair Heinicke called the meeting to order at 4:37 p.m.

Commissioners Present

Malcolm A. Heinicke, Chair
Khaldoun Baghdadi
Carlota Del Portillo
Yoel Kahn
Faye Woo Lee
Larry Lee
Pat Norman
Ellouise Patton
Sandra Sohcot

Commissioners Excused

Cecilia C. Chung

HRC Staff Present

Virginia Harmon, Executive Director; Toni A. Delgado, Commission Secretary; Larry Brinkin; Linda Chin; Maria Cordero; Emil DeGuzman; Bayard Fong; Cynthia Goldstein; Zula Jones; Melinda Kanios; Bryan Thomas (WIP); Domenic Viterbo; and Virma Walton (WIP).

12. Report on hearing officer results of appeal of P&K Trucking denial of certification

Maria Cordero (HRC Staff) presented the Commissioners with a copy of the hearing officers' decision. The HRC's DBE ordinance, previously the M/W/LBE ordinance provides the opportunity for appeal for firms that are denied certification or re-certification. The process begins with informal meetings with HRC staff, an appeal meeting with the Director and ultimately if the issue is not resolved, the Commission appoints a hearing officer, and the hearing officer's decision is final. P&K Trucking had been certified since 1996 when the firm had two trucks. When P&K Trucking applied for re-certification in 2002, the HRC found that the firm was no longer operating as a trucker, but rather providing brokering services for large contracts. P&K Trucking no longer provided a commercially useful function, nor did they possess the appropriate equipment or personnel. In December 2004 hearing officer Harry Epstein rendered his decision to uphold the HRC's denial.

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

SINCE 1948

VIA FAX (415) 431-5764

November 6, 2009

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

**re: SUNSHINE REQUEST
FOR IMMEDIATE DISCLOSURE**

Dear Ms. Kanios:

**(see attached request regarding the
January 13 2005 HRC published
Minutes of Arbitrators Henry
Epstein's alleged findings.**

**Please be advised that the immediate disclosure or immediate
response request made to you on October 26, 2009, under the Sunshine
Ordinance mandates a response before the end of the next day of business.
To date I have not had any response.**

Thank you;


Ken Kinnard

CC: Mr. Richard Knee, Chair of the Sunshine Ordinance Task Force

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