



# Memorandum

**TO:** Honorable Mayor &  
City Council Members

**FROM:** Lee Price, MMC  
City Clerk

**SUBJECT:** The Public Record  
October 26-November 1, 2007

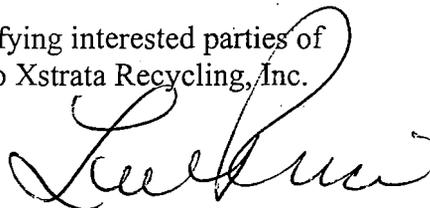
**DATE:** November 1, 2007

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## ITEMS TRANSMITTED TO THE ADMINISTRATION

## ITEMS FILED FOR THE PUBLIC RECORD

- (a) Letter from Deborah Giguiere to Mayor Reed dated October 23, 2007 expressing concern about the ban on smoking in City parks.
- (b) Letter from Mark TenBrink, dated October 25, 2007, notifying interested parties of approval to change the name of Noranda Recycling Inc. to Xstrata Recycling, Inc.



Lee Price, MMC  
City Clerk

LP/np

Distribution: Mayor/Council  
City Manager  
Assistant City Manager  
Assistant to City Manager  
Council Liaison  
Director of Planning  
City Attorney  
City Auditor  
Director of Public Works  
Director of Finance  
Public Information Officer  
San José Mercury News  
Library

Public Record a

RECEIVED  
San Jose City Clerk  
2007 OCT 30 A 10:00

Deborah Giguere  
1870 Park Avenue #B  
San Jose, CA 95126  
408 247-3805  
[dgnow12@sbcglobal.net](mailto:dgnow12@sbcglobal.net)

Mayor Chuck Reed  
City of San Jose  
200 E. Santa Clara Street  
San Jose, CA 95113  
408 535-4800

Re Concerned Citizen Notification of Voting i.e. Smoking

October 23, 2007

Dear Mr. Mayor Reed:

I am outraged of the news just received this evening on Channel 7 at 5 p.m.

New to San Jose, the actual city by residency, however not new to the Bay Area, in fact I grew up here and my folks, my immediate family and the Corporation that won the Award Nationwide of the Vendor of the Year Award, NESRA

As a firm supporter of Community involvement/spirit, in the Spirit of the City of San Jose, this letter should not have had to be addressed. However, if the City of San Jose is going to have voting of our rights as people whom live in an area such as the one our family resides in (Rose Garden) it may very well be in the best interest of the City to take the time to let the people of the great City of San Jose aware of these kinds of right disposal that infringes upon those whom pay a high rate of tax to purchase the product that the council took so freely upon itself today to place up for an actual vote on "Banning smoking in parks, roadways, sidewalks, in and around the park.

Cars, the homeless, firearms, animals, and blocking handicap entrances are a far more greater problem than this smoking ban which places the already taxed police to now target the taxpayer whom pay tax for these parks, and what is next, banning the candy bar from the park. There are very few pleasures anymore, and if we are going to tax people whom are smokers and then ban them from smoking, even on the sidewalk this has gone to far.

Notification by the City of San Jose should take into consideration that some of us cannot get down to the City Hall to read the notice or do not subscribe to the paper if this was even in any of those places, but when you begin taking away a tax base for personal objection(s) the public should have a fair and balanced time frame to be notified.

I remain, Yours truly, Deborah Giguere (a concerned citizen)

C.C.  
✓ City Council & Board



Public Records  
cc: John Stuffleba  
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San Jose City Clerk

2007 NOV -1 P 3:32

October 25, 2007

To:  
Interested Parties  
Xstrata Recycling's Facility Mailing List

**Subject: Change of Name**

The Department of Toxic Substances Control has approved Xstrata Recycling Inc.'s request for permit modification. The modification was related to the name change of the company. The company changed its name from **Noranda Recycling Inc.** to **Xstrata Recycling, Inc.** in August 2007. There has been no change in ownership or operational control of the facility.

This change is subject to Class I permit modification which requires the facility to notify interested parties including surrounding property owners of the change. Additional information regarding this change may be obtained by calling Xstrata Recycling's Environmental Engineer, Sejal Choksi at (408)-998-4930 or the Department of Toxic Substances Control.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark TenBrink', written over a white background.

Mark TenBrink  
General Manager