

RESOLUTION NO. 2024-09

RESOLUTION OF THE CITY COUNCIL RECEIVING AN UPDATE FROM THE
CITY COUNCIL APPOINTED SUBCOMMITTEE ESTABLISHED TO FOLLOW UP
ON RECOMMENDATIONS OF THE ODOR ATTRIBUTION STUDY AND
APPROVE THE RECOMMENDED COURSE OF ACTION

WHEREAS, a number of odor complaints have been reported to the City and the Monterey Bay Air Resources District (MBARD) by citizens of the City of Marina in recent years; and

WHEREAS, a public meeting was held on January 27, 2021, where representatives of ReGen, Monterey One Water (M1W), Monterey Bay Air Resources District (MBARD), Monterey County Health Department, as well as experts in agriculture and composting participated on an information panel and answered questions for the public. One of the outcomes of the meeting was a commitment to conduct an odor attribution study to positively identify odor sources and develop possible mitigation measures for consideration; and

WHEREAS, on September 20, 2022, the City Council adopted resolution no. 2022-116 approving a professional services agreement between the City of Marina and SCS Engineers for environmental services to conduct the odor attribution study; and

WHEREAS, on December 5, 2023, the City Council received a presentation of the odor study results and recommendations. The City Council appointed a subcommittee consisting of Mayor, Bruce Delgado; Councilmember Brian McCarthy; and Public Works Director, Brian McMinn. The purpose of the subcommittee is to review the recommendations of the odor study and develop a position for what recommendations the City will be asking ReGen and M1W to implement; and

WHEREAS, the subcommittee met on Tuesday, January 23rd and developed a recommended course of action to implement the City Council direction; and

WHEREAS, The subcommittee proposes the following steps in response to the direction provided by the City Council:

1. Check in with Regen and M1W to confirm the extent and timing of changes that are planned to address odors.
2. Produce an outline of a suggested City notice to the Marina public.
3. Clarify what MBARD's future plans are to change or continue monitoring of odor reports.
4. Report back to the City Council once all the outlined steps are complete and make recommendations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby receive an update from the City Council appointed subcommittee established to follow up on recommendations of the odor attribution study and approve the recommended course of action.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 6th day of February 2024, by the following vote:

AYES: COUNCIL MEMBERS: McCarthy, Biala, Visscher, Delgado

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

January 31, 2024

Item No. **10f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of February 6, 2024

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2024-,
RECEIVING AN UPDATE FROM THE CITY COUNCIL APPOINTED
SUBCOMMITTEE ESTABLISHED TO FOLLOW UP ON
RECOMMENDATIONS OF THE ODOR ATTRIBUTION STUDY AND
APPROVE THE RECOMMENDED COURSE OF ACTION.**

REQUEST: It is requested that the City Council consider:

1. Adopt Resolution No. 2024-, receiving an update from the City Council appointed subcommittee established to follow up on recommendations of the odor attribution study and approve the recommended course of action.

BACKGROUND:

A number of odor complaints have been reported to the City and the Monterey Bay Air Resources District (MBARD) by citizens of the City of Marina in recent years. The complaints are often reported after hours and often appear to be transitory in nature. Several surrounding public agencies have also been engaged with the City and MBARD during this time and have been working cooperatively to identify weather-related information such as wind speed, direction, and temperature during each reported event, in addition to investigating current operating conditions at their facilities and, when timely, visiting the area of the reported odor.

ReGen Monterey (ReGen) was established in 1951 and has been operating a Class III Non-hazardous municipal solid waste landfill since 1965; food/vegetation composting operations since 1988; and a Pilot Study Smart-Ferm Anaerobic Digester operation between 2013 and 2019. Monterey One Water (M1W) began operating a Regional wastewater treatment plant in 1990. RAMCO farming developed >1000 acres of land for strawberry production between 2014 and 2017 and rotated crop operations thereafter.

ReGen and M1W are regulated, permitted, and monitored by various local, state, and federal agencies including, but not limited to, the County of Monterey Health Department (Local Enforcement Agency), Monterey Bay Air Resources District, California's Department of Resources Recycling and Recovery (CalRecycle), California Environmental Protection Agency, Central Coast Regional Water Quality Control Board, State Water Resources Control Board, California Air Resources Board, and the Environmental Protection Agency.

A public meeting was held on January 27, 2021, where representatives of ReGen, Monterey One Water (M1W), Monterey Bay Air Resources District (MBARD), Monterey County Health Department, as well as experts in agriculture and composting participated on an information panel and answered questions for the public. One of the outcomes of the meeting was a commitment to conduct an odor attribution study to positively identify odor sources and develop possible mitigation measures for consideration. From the initial meetings, ReGen and M1W each committed to funding the odor study.

On April 19, 2022, the City Council adopted resolution no. 2022-49 directing Staff to issue a Request for Qualifications for hiring a contractor to conduct an odor attribution study.

Staff issued an RFP on May 17 and received proposals from SCS Engineers and Montrose Environmental. Based on the evaluation process SCS Engineers was selected as the most qualified firm for conducting the odor attribution study.

On September 20, 2022, the City Council adopted resolution no. 2022-116 approving a professional services agreement between the City of Marina and SCS Engineers for environmental services to conduct the odor attribution study.

On December 5, 2023, the City Council received a presentation of the odor study results and recommendations. The City Council appointed a subcommittee consisting of Mayor, Bruce Delgado; Councilmember Brian McCarthy; and Public Works Director, Brian McMinn. The purpose of the subcommittee is to review the recommendations of the odor study and develop a position for what recommendations the City will be asking ReGen and M1W to implement.

The subcommittee met on Tuesday, January 23rd and developed a recommended course of action to implement the City Council direction.

ANALYSIS:

At the December 5, 2023, City Council meeting, Regen reported that they will be changing the composting operation from open air to covered. At the same meeting M1W will be moving away from open air sludge drying ponds in compliance with state regulations. MBARD may also be implementing a tracking system.

The subcommittee proposes the following steps in response to the direction provided by the City Council:

1. Check in with Regen and M1W to confirm the extent and timing of changes that are planned to address odors.
2. Produce an outline of a suggested City notice to the Marina public.
3. Clarify what MBARD's future plans are to change or continue monitoring of odor reports.
4. Report back to the City Council once all the outlined steps are complete and make recommendations.

FISCAL IMPACT:

None at this time. Any implementation of recommendations from the odor study are expected to be funded by ReGen and M1W as part of capital improvements to their respective facility infrastructure.

California Environmental Quality Act (CEQA)

Receiving an update from the City Council appointed subcommittee established to follow up on recommendations of the odor attribution study and approving the recommended course of action is not a project as defined by the California Environmental Quality Act (CEQA) per Article 20 Section 15378 and under General Rule Article 5 Section 15061.

CONCLUSION:

This request is submitted for City Council consideration and action.

Respectfully submitted,

REVIEWED/CONCUR

Brian McMinn, P.E., P.L.S.
Public Works Director & City Engineer
City of Marina

Layne Long
City Manager
City of Marina