



## Legislation Details (With Text)

<b>File #:</b>	Int 0353-2024	<b>Version:</b>	A	<b>Name:</b>	Installation of solar photovoltaic systems on city-owned property.
<b>Type:</b>	Introduction	<b>Status:</b>	Enacted	<b>In control:</b>	Committee on Environmental Protection, Resiliency and Waterfronts
<b>On agenda:</b>	2/28/2024				
<b>Enactment date:</b>	10/26/2024	<b>Enactment #:</b>	2024/099		
<b>Title:</b>	A Local Law to amend the administrative code of the city of New York, in relation to the installation of solar photovoltaic systems on city-owned property				
<b>Sponsors:</b>	Sandy Nurse, James F. Gennaro, Carmen N. De La Rosa, Alexa Avilés, Pierina Ana Sanchez, Julie Menin, Rita C. Joseph, Lincoln Restler, Lynn C. Schulman, Julie Won, Justin L. Brannan, Gale A. Brewer, Shahana K. Hanif, Sandra Ung, Farah N. Louis, Shekar Krishnan, Mercedes Narcisse, Diana I. Ayala, Erik D. Bottcher, Christopher Marte, Yusef Salaam, Shaun Abreu, Chi A. Ossé, Kalman Yeger, Jennifer Gutiérrez, Keith Powers, Crystal Hudson, Carlina Rivera, Tiffany Cabán, Linda Lee, Oswald Feliz, Amanda Fariás, Robert F. Holden, Chris Banks, Susan Zhuang, Kevin C. Riley, Nantasha M. Williams, Darlene Mealy, Eric Dinowitz, Selvena N. Brooks-Powers, Althea V. Stevens, Francisco P. Moya, Rafael Salamanca, Jr., Kamillah Hanks, Kristy Marmorato, Joann Ariola, Public Advocate Jumaane Williams, (in conjunction with the Brooklyn Borough Presiden, (in conjunction with the Manhattan Borough Preside				

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<b>Attachments:</b>	1. Summary of Int. No. 353-A, 2. Summary of Int. No. 353, 3. Int. No. 353, 4. February 28, 2024 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 2-28-24, 6. Minutes of the Stated Meeting - February 28, 2024, 7. Committee Report 3/1/24, 8. Hearing Testimony 3/1/24, 9. Hearing Transcript 3/1/24, 10. Proposed Int. No. 353-A - 9/19/24, 11. Committee Report 9/26/24, 12. Hearing Transcript 9/26/24, 13. Committee Report - Stated Meeting 9/26/24, 14. September 26, 2024 - Stated Meeting Agenda, 15. Hearing Transcript - Stated Meeting 9-26-24, 16. Int. No. 353-A (FINAL), 17. Fiscal Impact Statement, 18. Legislative Documents - Letter to the Mayor, 19. Local Law 99, 20. Minutes of the Stated Meeting - September 26, 2024
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Date	Ver.	Action By	Action	Result
2/28/2024	*	City Council	Introduced by Council	
2/28/2024	*	City Council	Referred to Comm by Council	
3/1/2024	*	Committee on Environmental Protection, Resiliency and Waterfronts	Laid Over by Committee	
3/1/2024	*	Committee on Environmental Protection, Resiliency and Waterfronts	Hearing Held by Committee	
9/26/2024	*	Committee on Environmental Protection, Resiliency and Waterfronts	Hearing Held by Committee	
9/26/2024	*	Committee on Environmental Protection, Resiliency and Waterfronts	Amendment Proposed by Comm	
9/26/2024	*	Committee on Environmental Protection, Resiliency and Waterfronts	Amended by Committee	
9/26/2024	A	Committee on Environmental	Approved by Committee	Pass

		Protection, Resiliency and Waterfronts		
9/26/2024	A	City Council	Approved by Council	Pass
9/26/2024	A	City Council	Sent to Mayor by Council	
10/26/2024	A	Administration	City Charter Rule Adopted	
10/28/2024	A	City Council	Returned Unsigned by Mayor	

Int. No. 353-A

By Council Members Nurse, Gennaro, De La Rosa, Avilés, Sanchez, Menin, Joseph, Restler, Schulman, Won, Brannan, Brewer, Hanif, Ung, Louis, Krishnan, Narcisse, Ayala, Bottcher, Marte, Salaam, Abreu, Ossé, Yeger, Gutiérrez, Powers, Hudson, Rivera, Cabán, Lee, Feliz, Farías, Holden, Banks, Zhuang, Riley, Williams, Mealy, Dinowitz, Brooks-Powers, Stevens, Moya, Salamanca, Hanks, Marmorato, Ariola and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn and Manhattan Borough Presidents)

A Local Law to amend the administrative code of the city of New York, in relation to the installation of solar photovoltaic systems on city-owned property

Be it enacted by the Council as follows:

Section 1. Section 4-207.1 of the administrative code of the city of New York, as added by local law number 24 for the year 2016, is amended to read as follows:

§ 4-207.1 Photovoltaic systems for city-owned buildings and property. a. As used in this section:

City building. The term “city building” shall have the meaning ascribed to such term in section 28-309.2 of the code.

Contracted entity. The term “contracted entity” means a local development corporation or other not-for-profit corporation, a majority of whose members are appointed by the mayor, that contracts with the city to provide or administer economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, except that such term does not include the Brooklyn navy yard development entity as defined in section 22-821.

Cost effective. The term “cost effective” means, with respect to the installation of a photovoltaic system or additional photovoltaic system capacity, one or more of the following determinations:

1. The cumulative savings expected to result from such installation, including expected savings in energy costs, will in 25 years or less, equal or exceed the expected costs of such installation, less all federal,

state and other non-city governmental assistance available to offset the cost of such installation and including the social cost of carbon value, as described in paragraphs 3 and 4 of subdivision d of section 3-125 of the code; provided, however, that a higher site- or project-specific social cost of carbon value may be developed and used in lieu of the social cost of carbon value described in such paragraphs.

2. A power purchase agreement relating to such installation, entered into with the city, offers electricity rates for photovoltaic systems that meet or are lower than the average prevailing utility rates.

Department. The term “department” means the department of citywide administrative services.

Eligible roof. The term “eligible roof” means a city building roof that is less than or equal to [ten] 10 years old and in good condition, as defined by city asset management standards.

b. 1. By December 31, 2035, the department, in coordination with any other relevant agency, shall install, maintain, and operate photovoltaic systems with a total power capacity of at least 150 megawatts on city building roofs and other city-owned property, including but not limited to parking lots, industrial sites, and property controlled, leased, or operated by a contracted entity.

2. By September 1, 2030, the department, in coordination with any other relevant agency, shall install at least 100 megawatts of the photovoltaic systems required to be installed pursuant to paragraph 1 of this subdivision.

c. In meeting the requirements of subdivision b of this section, the department shall prioritize the installation of photovoltaic systems in disadvantaged communities, as defined by section 75-0101 of the environmental conservation law.

d. The department, in coordination with any other relevant agency, shall set criteria for increasing the number of eligible roofs in order to meet the requirements of subdivision b of this section. The department shall identify such criteria and any increase in the number of eligible roofs in the report required by subdivision f of this section.

e. 1. By September 1, 2028, the department shall submit to the speaker of the council and the mayor,

and make publicly available online, a report that identifies factors to consider when making determinations about the long-term ownership, operation, and maintenance of photovoltaic systems installed pursuant to subdivision b of this section that are the subject of power purchase agreements.

2. By September 1, 2030, the department shall submit to the speaker of the council and the mayor, and make publicly available online, a report (i) identifying the expected location and size, expressed in total power capacity (in kilowatts), of each photovoltaic system to be installed pursuant to subdivision b of this section that has not been installed as of September 1, 2030, and (ii) indicating whether a request for proposals has been issued for all contracts necessary to install such photovoltaic systems, and, if so, providing a planned timeline, including a planned date of completion, for all work to be performed pursuant to such contracts.

f. By December 31, 2016, and by September 1 of every second year thereafter, the department, with the cooperation of all appropriate city agencies, shall submit to the speaker of the council and the mayor, and make publicly available online, a report containing, at a minimum, the following information for each city building, disaggregated by council district:

1. The street address of such building;
2. The age of such building's roof;
3. Whether such building's roof is in good condition, as defined by city asset management standards;
4. The following information for 100 unique roofs that are not eligible roofs and for which such information has not been included in any prior report: the estimated photovoltaic system size that could be installed on each such roof, as expressed in installed power capacity (in kilowatts), if such roof were repaired or replaced so as to become an eligible roof;

5. For each eligible roof, the following information will be provided:

- (a) [the] The estimated potential photovoltaic system size that could be installed on such roof, as expressed in installed power capacity (in kilowatts);

- (b) [the] The estimated potential energy that could be generated by such system annually (in kilowatt-

hours); and

(c) [the] The estimated amount of greenhouse gas emissions reduced or avoided annually due to the use of such system;

[5.] 6. Whether a photovoltaic system has been installed at such building and, if such a system has been installed, a description thereof, including:

(a) [the] The photovoltaic system size expressed in installed power capacity (in kilowatts), as a percentage of the maximum peak power need identified for such building and, if such building has an eligible roof, as a percentage of the maximum photovoltaic system size that could be cost effectively installed on the roof of such building;

(b) [the] The energy generated by such system annually (in kilowatt-hours) and expressed as a percentage of the estimated energy consumption of such building;

(c) [the] The date of such installation;

(d) [the] The total cost of such system and a description of how the installation of such system was financed, including whether such financing involved a power purchase agreement entered into with the city;

(e) [the] The energy cost savings resulting from and revenue generated by such system annually; [and]

(f) [the] The estimated amount of greenhouse gas emissions reduced or avoided due to such system annually[.]; and

(g) If such system was installed pursuant to a power purchase agreement, the legal name of the prime contractor responsible for such installation; and

[6.] 7. If a photovoltaic system has not been installed at such building, the reasons that such a system was not installed and, where an alternate sustainability project, structural change or other use has been proposed or carried out for the roof of such building, a description of such alternate project, structural change or use including:

(a) [the] The projected benefits thereof;

(b) [the] The estimated energy cost savings, if applicable; and

(c) [the] The estimated amount of greenhouse gas emissions reduced or avoided annually due to such project, structural change or use, if applicable, and associated economic value as determined using the social cost of carbon value, as described in paragraphs 3 and 4 of subdivision d of section 3-125 [of the code].

g. The department shall also include in the report required by subdivision f of this section, the following information for each city-owned property, other than a city building, on which a photovoltaic system has been installed:

1. The street address of such property;

2. The property's primary use;

3. The photovoltaic system size expressed in installed power capacity (in kilowatts);

4. The energy generated by such system annually (in kilowatt-hours);

5. The date on which such system was installed;

6. The total cost of such system and a description of how the installation of such system was financed, including whether such financing involved a power purchase agreement entered into with the city;

7. The energy cost savings resulting from and revenue generated by such system annually;

8. The estimated amount of greenhouse gas emissions reduced or avoided due to such system annually;

and

9. If such system was installed pursuant to a power purchase agreement, the legal name of the prime contractor responsible for such installation.

§ 2. This local law takes effect 45 days after becoming law, provided that the information required to be reported by subdivision d, paragraph 4 of subdivision f, subparagraph (g) of paragraph 7 of subdivision f, and subdivision g of section 4-207.1 of the administrative code of the city of New York, as added by section one of this local law, shall only be required to be included in the report required by subdivision f of such section 4-207.1 that is due September 1, 2026 and thereafter.

APM/CCM  
LS #10831  
09/18/2024 9:15PM

Session 12  
APM  
LS #10831  
9/8/2023  
Int. 1183