



## Legislation Text

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**File #:** Int 0353-2024, **Version:** \*

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Int. No. 353

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, Marmorato and Ariola (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. 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] 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 years old and in good condition, as defined by city asset management standards.

Power purchase agreement. The term “power purchase agreement” means an arrangement in which a third-party developer installs, owns, and operates a photovoltaic system or other energy system on city property, and the city purchases the system’s energy output for an agreed upon period.

b. By December 31, 2025, the department, in coordination with the office of long-term planning and sustainability, shall install, maintain, and operate solar photovoltaic systems on eligible roofs of city buildings sufficient to produce a total of 100 megawatts of electricity.

c. The department, in coordination with the office of long-term planning and sustainability, shall create a plan by December 31, 2026, to be utilized to install, maintain, and operate solar photovoltaic systems on eligible roofs of city buildings and city-owned property, including but not limited to parking lots, industrial structures, and structures owned by a contracted entity, sufficient to produce a total of 150 megawatts of electricity by December 31, 2030.

d. In meeting the requirements of this section, the department shall not utilize a power purchase agreement.

e. In meeting the requirements of this section, the department shall prioritize the installation of solar photovoltaic systems on public schools, city-owned property and structures owned by a contracted entity

located in disadvantaged communities, as defined by section 75-0101 of the environmental conservation law.

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. 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. 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

6. 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].

§ 2. This local law takes effect immediately.

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

Session 13  
APM  
LS #10831  
2/2/2024 2:50PM