

## 1. Executive Summary

The City of Clearlake endeavors to use reliable, collaborative, and secure information technology solutions to support the efforts of staff in delivering high-quality services to our community.

As new, relevant local government technologies arise, the City often assesses the value that each can deliver. In recent years, generative AI – creating meaningful output such as text and images from human prompts -- emerged as a powerful new tool in a wide range of contexts. The City quickly recognized that this technology could be extraordinarily useful in the public sector while also acknowledging that it could create unacceptable risks.

The City of Clearlake will partner and collaborate with other government agencies in the region and beyond to maximize the benefits of generative AI and to reduce its risks such as security, privacy, and content issues.

This policy provides rules and guidance for City staff to support responsible use of generative AI tools. The City is committed to encouraging the use of emerging technologies that promote progress and innovation, increase organizational performance and quality service delivery, and serve the public good.

## 2. Purpose

The purpose of this policy is to set forth requirements and guidance that City users must adhere to when acquiring and using solutions that meet the definition of generative artificial intelligence (AI).

## 3. Scope

While AI is a broad and deep topic, this policy is currently concerned with solutions that use a specific type of AI called generative AI. Examples include ChatGPT, Google Bard, CoPilot, Stability.ai, Jasper.ai, and similar. This policy also acknowledges that the boundaries of such solutions can be complex to define, and the nature of the technology is changing at a high rate. In the event of uncertainty in how any part of this policy applies, staff should first seek guidance from a supervisor.

## 4. Benefits and Risks of Using Generative AI in Local Government

### **Benefits (not an exhaustive list):**

- a) Ability to analyze large amounts of information and then identify patterns, answer questions, make recommendations, and summarize findings.
- b) Reduce time spent on regular tasks including the creation of documents such as memos, emails, job descriptions, and reports, and assist with rapid knowledge acquisition.
- c) Improved decision-making by discovering and exploring scenarios, evaluating options, and analyzing relevant data.
- d) Assist in the development of new content such as policies and procedures, website content, and social media posts, including rewording and improving grammar.
- e) Provide community-facing chatbots that provide 24-hour access to information and services.

- f) Translates text into different languages.

**Risks (not an exhaustive list):**

- a) May create output that uses, for example, inappropriate, generic, and irrelevant language, bias, and tone. Translations too, may not be of an acceptable level of quality.
- b) Information produced may not be accurate, which includes dates, places, names, events, and more.
- c) May reveal personally identifiable or sensitive information, disclose confidential information, or release draft information to the public.
- d) Reliance may reduce the important use of human empathy, personal contact, discretion, and judgement.
- e) All input and output content may be subject to relevant public record laws.
- f) Content produced may be subject to copyright laws and use could result in legal challenges.

**5. Acceptable Uses of Generative AI**

The range of uses of generative AI are wide and new capabilities are being frequently introduced. This list provides a small set of staff usage examples that can be used as guidance.

- a) Creating an outline for written content. The generative AI content is used as a starting point, but the final product is created by staff. Examples include:
  - Letters
  - Emails
  - Project documentation
  - Speaker notes
  - Presentation slides
  - Social media posts
  - RFPs and similar
  - Web content
  - Reports
  - Procedures
  - Policies
  - Job descriptions
  - Press releases
- b) Copying a document into a generative AI tool for the purposes of summarizing and/or querying it.
- c) Suggesting writing improvements.
- d) Learning about and exploring topics.

- e) Analyzing different types of data.
- f) Idea generation.
- g) Research.

## **6. Requirements for Using Generative AI**

- a) All generative AI tools used for work purposes require an account that is explicitly for City use. Personal accounts are not permitted for work use.
- b) Assume that all use of generative AI tools and content could be subject to relevant public records requests and must adhere to existing City data retention requirements where appropriate.
- c) Only provide input content that is okay for public disclosure. The information you provide may be viewable and usable by the AI service provider and may be compromised if they experience a data breach. Sensitive and private information includes but is not limited to the following:
  - a. Personally identifiable information (PII), Protected Health Information (PHI), Tax IDs, passport numbers, driver's license numbers, addresses, contact details, financial information, credit card numbers, and more.
  - b. Passwords, passcodes, and other confidential information.
  - c. Sensitive business data:
    - i. Any information that if exposed publicly would tarnish or harm the reputation of the City.
    - ii. Any information that if exposed publicly would open the City to regulatory or legal action.
- a) Staff are responsible for all outcomes of generative AI used for work purposes. Specifically, the consequences of generative AI use are a human responsibility and issues cannot be deferred to the software and system. Staff assume all responsibility for content produced by generative AI.
- b) Conduct a fact check on all content that is produced by generative AI. Staff must validate all output and ensure that it is factually correct. Staff are responsible for managing the risks of AI hallucinations, i.e., the creation by AI of inaccurate or nonsensical content.
- c) Provide attribution whenever generated content is published including images.
- d) Opt out of data collection whenever possible. AI platforms often retain the data you input and the content it generates as part of its training and self-learning processes. This means every interaction with AI may be saved and utilized to improve its functionality over time. Some generative AI systems allow you to opt out of data collection which means that they will not keep any of the data you provide, and those data will not be used in the systems' models.
- e) Do not use generative AI to generate code or audio at this time.

## **7. Procurement of Generative AI Solutions**

- a) To procure generative AI solutions, staff must follow the existing policies and procedures for acquiring hardware and software for the City.
- b) The policy and procedures for acquiring generative AI solutions also applies to free-to-use, freemium, open source, software-as-a-service (SaaS), and any other solution formats.
- c) Approval to procure a generative AI solution is not required if the identical solution has already been formally approved.
- d) Use of any generative AI solution may be restricted or revoked at any time if, in the judgement of the City, the risk of use results in non-compliance in part or full, with this policy or any other City policy, or other relevant policy, rule, or law.

## **8. Enforcement**

Enforcement may be imposed in coordination with management and department heads. Non-compliance may result in department heads imposing disciplinary action, restriction of access, or more severe penalties up to and including termination of employment or vendor contract.

## **9. Training**

The City will occasionally provide training in generative AI and specific tools. For specific requirements, staff should work with their supervisor to request training following their normal learning needs process.

## **10. Contact and Oversight Information**

This policy will be maintained through the City Manager's department, owned by the City Manager or designee. Their responsibilities include creating and maintaining the generative AI risk and impact criteria, making recommendations for policy updates, communicating updates on the City's position on generative AI, and as a point of contact for escalating challenges and issues with the technology.