ADMINISTRATIVE REGULATION 2024-06
MAYOR BLESSING "YEMI" MOBOLADE

DATE: July 10, 2024

TOPIC: Generative Artificial Intelligence ("GenAI")

LEGAL AUTHORITY: **City Charter §§ 3-10(b), 4-10, and 4-40(d)**
City Code §§ 1.2.312 and 1.2.314

1.0 Purpose and Scope: This Administrative Regulation identifies the requirements for responsible and ethical use of open source or third-party large language model ("LLM") Generative Artificial Intelligence ("GenAI") systems in order to protect the Confidentiality, Integrity, and Availability ("CIA") of the City's information technology ("IT") systems, data, and information from the risks associated with GenAI systems. This includes ensuring the City maintains compliance with new and changing federal and state laws, rules, and regulations.

2.0 Terms Defined:

    2.1. Generative Artificial Intelligence ("GenAI") – GenAI is a type of artificial intelligence technology that broadly describes machine learning systems capable of generating new text, images, code, or other types of content, often in response to a prompt entered by a user.

    2.2. Information System ("IS") - means a discrete set of information resources organized from the collection, processing, maintenance, use, sharing, dissemination, or disposition of information. This includes an IS hosted On-Premises in the City Data Center or hosted Off-Premises.

    2.3. Large Language Model ("LLM") – is a specialized type of artificial intelligence algorithm that uses deep learning and very large data sets to understand existing content and generate original content.

    2.4. Public Generative AI ("Public GenAI") – refers to any kind of publicly available artificial intelligence algorithm that trains in a wide set of data from multiple unrelated users.

    2.5. Private Generative AI ("Private GenAI") – refers to the practice of training algorithms on data specific to one user or organization, that will not be used by the platform to train public models.

3.0 Procedures in General:

    3.1. Pursuant to City Charter §§ 3-10(b), 4-10, and 4-40(d) and City Code §§ 1.2.312 and 1.2.314, the Mayor performs all executive and administrative functions of the City, directs, supervises, and prescribes the functions of all departments, divisions, and offices, and promulgates administrative guidelines. The creation of rules, processes, and procedures for the use of emerging technologies, including GenAI, by City departments, divisions, and offices is an executive and

administrative function of the Mayor in accord with said Charter and Code provisions.

4.0 Rules and Procedures for All GenAI (Public and Private):

4.1. On City systems and infrastructure and for all City work, City employees, contractors, and other users are only authorized to use IT Department approved GenAI platforms. Non-approved GenAI platforms shall not be used to conduct City business, unless approved through a documented exception granted by the IT Department.

4.2. All use of authorized GenAI platforms is subject to the terms of the City Acceptable Use Policy.

4.3. Users shall not use GenAI to create false or other fraudulent material. The City shall make all final determinations as to the false or fraudulent nature of material.

4.4. Users may only use approved GenAI with a City email address, on City owned desktops, laptops, tablets, or mobile phones. Users shall not use personal accounts, email, or desktops, laptops, tablets, or mobile phones to conduct City business. Use of GenAI on personal devices is strictly prohibited for City business.

4.5. Information inaccuracy is a significant risk when using GenAI. Therefore, users are fully responsible and accountable for decisions and communication that are made based on the results of the query, including but not limited to, accuracy of data output, copyright violations, sensitive or restricted data exposure, poor data quality, bias, or discrimination in outputs. When using GenAI, users must fully review all outputs and attest to their accuracy prior to use for City purposes.

4.6. Use of any GenAI must be lawful and in compliance with the applicable vendors' End User License Agreements ("EULA"), acceptable use policies, and/or terms and conditions, to include proper attribution of generated data.

4.7. All deliverables that have GenAI generated content, must be clearly marked to indicate GenAI was used in the development of the deliverable.

4.8. Users must take care to preserve and prioritize the CIA of the City's work product over any use of GenAI.

4.9. All City data classification and protection policies and requirements shall be applied to the use of any GenAI. At no time shall sensitive or restricted data be entered into GenAI (see Data Classification and Breach Policy). Sensitive or restricted data include, but are not limited to:

    4.9.1. Legal or law enforcement data,

    4.9.2. City specific system code, design details, or risks,

    4.9.3. Personally Identifiable Information (PII),

    4.9.4. Health / Healthcare information,

    4.9.5. Employee records, and

    4.9.6. Password / Passphrase generation.

4.10. Users shall not use GenAI for:

    4.10.1. Operational decision making in legal and public safety matters.

    4.10.2. Completing, editing, generating, or reviewing criminal justice documents or sensitive information (e.g., case reports, supplemental reports, affidavits, summonses, court documents, etc.).

    4.10.3. Developing any documentation for which a reasonable likelihood of introduction in a legislative, quasi-judicial, policy-making or legal setting

exists (e.g., City Council or Planning Commission meeting minutes, land use plans, discovery processes, criminal trials, civil trials, etc.).
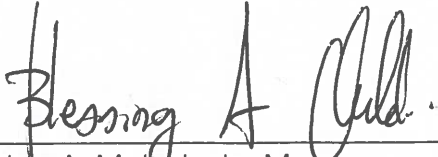
4.11. Users shall verify approval with the data owner before entering City data into any GenAI platform.

4.12. Confirmed or suspected release of City sensitive or restricted data into a public GenAI tool must be reported to IT Cybersecurity immediately by calling 719-385-5831.

4.13. Use and awareness training on GenAI systems is required for all City users at least annually.

5.0 Rules and Procedures for Private GenAI:

5.1. Creation of any Private GenAI solution must be reported to and approved by the Information Technology Risk Governance Committee ("ITRGC") and IT Department before any design work can begin.

5.2. Development details on how the private model has been trained and works shall at a minimum be classified as sensitive data, as defined in the IT Data Classification Policy.

5.3. Data must meet all City quality standards before being incorporated into organizational data repositories.

5.4. All GenAI generated data must be clearly labeled to allow for quick identification, review, correction, and/or recall.

5.5. All City IT identity, access, encryption, and auditing policies, as well as any other applicable governance, must be incorporated into any solution.

5.6. No GenAI generated computer or system code may be incorporated into any City information system without IT Department review and ITRGC approval.

5.7. Any Private GenAI must be audited on a regular basis for privacy, fairness and bias detection, transparency, safety, security, validity and reliability, and accountability.

5.8. System configuration data must follow City IT Backup, Recovery, and Archiving ("BURA") requirements applicable to the identified City IT Business Impact Analysis ("BIA") tier.

6.0 Miscellaneous

6.1. Any exception request allowed per this Administrative Regulation must be submitted to the City IT Department through the IT Service Desk. In the IT Department's discretion, exceptions may or may not be approved based upon the risk to the City.

6.2. This Administrative Regulation shall become effective immediately upon signature and shall remain in effect until amended or rescinded.

6.3. This Administrative Regulation shall be filed with the City Attorney and made available for public inspection on the City's website.

6.4. This Administrative Regulation does not limit, restrict, or replace the Mayor's ability to exercise any authority granted by City Charter or to utilize other applicable policies, procedures, rules, regulations, and laws.

Blessing A. Mobolade, Mayor

APPROVED AS TO FORM:

Office of the City Attorney