RESOLUTION NO. <u>20240215-024</u>

WHEREAS, artificial intelligence (AI) is a tool that can use data to make predictions and recommendations, build forecast models, create programs that can interpret images and natural language, and make human-like decisions influencing real or virtual environments; and

WHEREAS, data privacy is a discipline designed to protect data from unauthorized access, theft, or loss; and

WHEREAS, on October 30, 2023, U.S. President Joe Biden issued an Executive Order that establishes new standards for AI safety and security, protects Americans' privacy, advances equity and civil rights, stands up for consumers and workers, and promotes innovation and competition; and

WHEREAS, the University of Texas (UT Austin) President Jay Hartzell has declared this the "Year of AI" at UT Austin; and

WHEREAS, in 2020, the City of Austin started to collaborate with UT Austin's Good Systems to share expertise and resources to address local challenges ethically and efficiently; and

WHEREAS, the governments of Seattle WA, New York City NY, San Jose CA, Santa Cruz County CA, Tempe AZ, and others have issued independent policies or guidelines for how their employees should use AI on the job; and

WHEREAS, Apple, Google (Alphabet), Oracle, Facebook (Meta), Samsung, and Tesla have all established major office campuses in the region, and the City is considered one of the country's top data science hubs; and

WHEREAS, the use of smart city technologies, such as sensors, connected devices, and always-on data flows that manage transportation systems, support

real-time infrastructure maintenance, automatically administer public services, enable transparent decision making and open data, and support emergency services in public areas can provide real benefits to governments and communities; and

WHEREAS, the emergence of big data and AI have changed the way information is collected and managed, creating new risks and impacts, surrounding privacy, racial and cultural biases, and equitable access and use of technology; and

WHEREAS, in 2021, the Information Security Office published the City's Security and Privacy Controls Policy requiring City departments to implement security and privacy controls for their information systems and organization; and

WHEREAS, further updates to procedures, training and investments in infrastructure are necessary to implement responsible AI into our city workflows; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to assemble and consult with an advisory committee, inclusive of academics, nonprofits, community members, and industry experts around digital privacy and AI to provide recommendations for privacy and information technology protection procedures and guidelines for City employees using and assessing AI systems. The guidelines should include but are not limited to the following principles:

1. Innovation and Collaboration- Encourage collaboration between City employees and AI systems for improving and delivering City services, leveraging the strengths of both to enhance decision-making processes and ensure that AI systems play a supplemental role and that ultimate decision-making remains with City employees.

2. Data Privacy and Security- Inventory and evaluate AI systems for maintaining confidentiality, integrity, and availability of data to minimize security risks to the greatest extent possible. Furthermore, staff shall implement the existing information security, privacy, and governance framework that reduce the risk of data and privacy loss, and is applied to the AI system throughout planning, development, training, testing, deployment, and use to the greatest extent possible.

3. Transparency- Ensure that the development, use, and deployment of AI systems are evaluated for and compliant with all laws and regulations prior to use, and make documentation related to the use, purpose, information collected, location, and impact of AI systems publicly available. Furthermore, the City Manager shall establish transparency requirements in solicitation contracts for AI systems. This may include encouraging the use of open-source code and requesting information about how a system was trained and the training data utilized.

4. Explainability and Interpretability- Ensure all AI systems and their models are explainable to the greatest extent possible, and that system outputs are interpretable and communicated in clear language, representative of the context for use and deployment.

5. Validity and Reliability- Ensure that AI systems perform reliably and consistently under the conditions of expected use, and that ongoing evaluation of system accuracy throughout the development and/or deployment lifecycle is trained, managed, governed, and auditable, to the greatest extent possible.

6. Bias and Harm Reduction- Evaluate AI systems through an equity lens, in alignment with our anti-racist and anti-discriminatory commitments, for potential impacts such as discrimination and unintended harms arising from data, human, or algorithmic bias to the extent possible. Assess AI systems for bias prior to purchase and deployment.

BE IT FURTHER RESOLVED:

The City Manager is directed to create accountability and oversight strategies and procedures for the use and acquisition of AI. These strategies and procedures should include, but are not limited to: implementing ethical procurement standards, regular audits and evaluations of AI systems and use, engagement with the advisory board and the community, and establishing an internal oversight team to evaluate responsible AI practices and activities. The City Manager shall establish processes for investigating and addressing errors made when using AI. This process should ensure that employees are not held responsible for errors that were beyond their control.

BE IT FURTHER RESOLVED:

The City Manager is directed to develop a comprehensive plan for managing the impact of AI on the workforce. The plan shall focus on job protection, training, and support for employees and include best practices to mitigate the harms and maximize the benefits of AI for City employees by addressing job displacement, labor standards, and workplace safety and equity. Furthermore, the City Manager shall provide training programs and resources to employees involved in AI system development and utilization, promoting AI literacy, ethical considerations, privacy protection, and responsible AI practices.

BE IT FURTHER RESOLVED:

The City Manager is directed to convene a minimum of two times with the advisory committee and report back to council with an update on the AI guidelines, accountability strategies, and workforce considerations by May 28th, 2024.

ADOPTED: ___February 15___, 2024 **ATTEST:** _____
Myrna Ríos
City Clerk