

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS,  
STATE OF CALIFORNIA, ADOPTING COUNTY POLICY MANUAL PART I:  
SECTION 31F, NAPA COUNTY ARTIFICIAL INTELLIGENCE POLICY,  
EFFECTIVE JULY 29, 2025**

**WHEREAS**, Artificial Intelligence (AI) is the simulation of human intelligence processes by machines, especially computer systems that are used to perform tasks that could act and learn in such a way that can simulate human intelligence; and

**WHEREAS**, AI adoption can be done in a responsible, ethical, and secure manner that supports innovation and departmental operations, while providing a consistent framework to manage risks, protect data, and build public trust as AI use rapidly evolves; and

**WHEREAS**, the purpose of this policy is to ensure legal and ethical use of AI technology by Napa County employees, contractors and vendors by providing definitions, establishing use restrictions, outlining confidentiality and security expectations, and establishing roles and responsibilities;

**WHEREAS**, the Board of Supervisors wishes to establish a policy which provides responsible, transparent AI governance.

**NOW, THEREFORE, BE IT RESOLVED** that the Napa County Board of Supervisors hereby adopts County policy Manual Part I: Section 31F, Napa County Artificial Intelligence Policy, as set forth in Exhibit “A,” effective July 29, 2025.

**[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]**

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED**  
by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board  
held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:           SUPERVISORS           \_\_\_\_\_

\_\_\_\_\_

NOES:           SUPERVISORS           \_\_\_\_\_

ABSTAIN:       SUPERVISORS           \_\_\_\_\_

ABSENT:        SUPERVISORS           \_\_\_\_\_

NAPA COUNTY, a political subdivision of  
the State of California

By: \_\_\_\_\_  
ANNE COTTRELL, Chair of the  
Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Ryan FitzGerald</u> Deputy County Counsel</p> <p>Date: <u>July 22, 2025</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>
---	--	--

## EXHIBIT "A"

### NAPA COUNTY ARTIFICIAL INTELLIGENCE POLICY

#### I. STATEMENT OF POLICY

The purpose of Napa County's Artificial Intelligence (AI) policy is to ensure legal and ethical use of AI technology. The policy below defines acceptable and prohibited uses, while the Napa County AI procedure outline employee, contractor and vendor obligations related to the use or development of AI models and applications.

##### A. Policy Context and Definitions

1. Artificial Intelligence (AI) — Artificial intelligence is the simulation of human intelligence processes by machines, especially computer systems that are used to perform tasks that could act and learn in such a way that can simulate human intelligence.
2. Cybersecurity: The use of AI tools may introduce new opportunities for cyber attacks. Individuals or groups can manipulate large language models (LLMs) for unethical, political or illegal purposes, including to access and/or compromise data they shouldn't, including personal or sensitive information.
3. Confidentiality and privacy: Confidential and sensitive information, including client, employee, or others' personal data entered into publicly available Generative AI applications may leave residue inside the model that can become part of an output elsewhere, or used to (re)train new models. Thus, any customer or employee's personal information, proprietary information or intellectual property, or otherwise confidential information entered into the prompt may appear in other users' output.
4. Generative AI (GenAI) An artificial intelligence technology that derives new versions of text, audio, or visual imagery from large bodies of data in response to user prompts. GenAI can be used in stand-alone applications, such as ChatGPT or Bard, or incorporated into other applications, such as Microsoft Bing or Microsoft Office Suite. If you have any questions about what constitutes AI, please contact Napa County Information Technology Department through the ITS help desk.
5. "Hallucinations": The term adopted by the GenAI community to describe how models will, from time to time, provide fictitious answers. The issue is not simply that the answers are wrong, it is that they are confident and convincing. Society has developed an endemic automation bias by which humans favor suggestions from automated decision-making systems blindly, often ignoring their own better judgment. Using output from GenAI tools without reviewing it for accuracy places the County at risk and may harm Napa County's reputation with the public and employees.
6. Intellectual property: GenAI models are often trained on large, publicly available datasets (e.g., through data extraction of public webpages). The outputs may therefore contain copyrighted information, or others' intellectual property. While ownership in many of these cases is unclear, users should err on the side of caution and not use any output that contains material they suspect to be under copyright protection in any materials, internal or externally facing.
7. Model bias: GenAI tools incorporate any biases of the data sets that were used to train them. This modeling bias may not always align with Napa County's core values. Therefore, model output may make systematic errors or favor certain groups, leading to unfair or discriminatory outcomes.
8. Protected Health Information (PHI): Individually identifiable health information which may include demographic data referring to the individual's past, present or future physical or mental health or condition; the provision of health care to the individual; or the past, present, or future payment for the provision of health care to the individual, and provides a reasonable basis to believe it can be

used to identify the individual. Individually identifiable health information includes many common identifiers (e.g., name, address, birth date, Social Security Number).

9. **Personal Identifiable Information (PII):** Any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means. Further, PII is defined as information: (i) that directly identifies an individual (e.g., name, address, social security number or other identifying number or code, telephone number, email address, etc.) or (ii) by which an agency intends to identify specific individuals in conjunction with other data elements, i.e., indirect identification. (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptors). Additionally, information permitting the physical or online contacting of a specific individual is the same as personally identifiable information. This information can be maintained in either paper, electronic or other media. This information can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked to the individual
10. **Criminal Justice Information (CJI):** Encompasses a wide range of sensitive data elements that must be protected in accordance with the FBI's Criminal Justice Information Services (CJIS) Security Policy. These elements include biometric data (such as fingerprints, facial recognition data, and iris scans), identity history information (including names, dates of birth, Social Security Numbers, and other government-issued identifiers), and criminal history record information (such as arrest records, charges, convictions, and sentencing details). Additional sensitive components include case and incident data, court dispositions, warrants and wanted person information, protective orders, gang and terrorist watchlist entries, and location data related to individuals under supervision or investigation.
11. **Third-party risk:** Data sent by Napa County to third parties could be used in the third party's GenAI tools. Technology/software usage must follow the ITS verification and security approval process.

## **II. Purpose of Policy**

### **A. To Establish Appropriate Use and Security Guidelines**

The purpose of Napa County's Artificial Intelligence (AI) policy is to ensure legal and ethical use of AI technology. The policy below defines acceptable and prohibited uses, while the Napa County AI procedure outline employee, contractor and vendor obligations related to the use or development of AI models and applications.

This policy applies to all parties — including, but not limited to, employees, contractors, directors, and third parties — who have access to critical or high-risk systems or customer/employee personal information (PI). It governs the use of Generative AI (GenAI) applications or the development of GenAI models, whether internal, third-party, or publicly available.

This policy applies to the use of such applications on both County-issued devices and personal devices when used for work-related purposes.

### **B. To Provide Notice Regarding Expectation of Privacy**

This Policy is also intended to notify employees that their use of AI technology is subject to the Acceptable Use Policy and that it is not confidential or private. The Napa County Acceptable Use policy provides that the County reserves the right to access and monitor employee use of the County's Information Systems as well as any stored information, created or received by County employees. The reservation of this right is to ensure that the County's Information Systems are used securely and appropriately in an ethical and lawful manner.

### **C. Applicability of This Policy to Other County Information Systems Users**

Persons providing services to the County under a contract — including vendors and others who use the County's information systems while performing their duties — are required to comply with this policy and will be held accountable if found in violation of this policy.

## **III. Policy Statements**

For any use of AI applications, employees must adhere to the following:

#### **A. Use Restrictions**

To maintain the security of our data and IT systems, employees are prohibited from attempting to gain access to unapproved AI services when using County devices, systems or networks, conducting business on behalf of the County, or when using County data.

To avoid potential misuse, data leaks or security incidents:

- **Do** obtain department head approval to ensure that AI services meets the standards for use within your operational area before requesting ITS perform a third-party security review for approved use.
- **Do** comply with all department procedures and Napa County policies related to AI, technology use, data confidentiality, privacy and security.
- **Do** review all AI-generated output produced in response to your prompts/queries for clarity, accuracy, completeness, and relevance before using or sharing it. Always apply human judgment to ensure AI-generated output aligns with your intended purpose, reflects organizational values, and complies with applicable policies and regulations.
- **Do not** use Napa County Employee IDs as a login to publicly available AI applications.
- **Do not** enter input or expose PHI or PII into AI services that are not explicitly approved and compliant with data privacy laws, Napa County's policies, and organizational data security requirements.
- **Do not** purchase or install non-approved applications, Application Programming Interfaces (APIs), plug-ins, connectors, or software related to AI systems.
- **Do not** implement or use in any way code generated by GenAI on County systems except where explicitly authorized by the Chief Information Security Officer.

#### **B. Confidentiality**

To maintain the confidentiality of the County's sensitive information, including but not limited to employee and customer personal information, the County's intellectual property, and copyrighted material, employees and contractors must only share information with approved personnel, and only input sensitive information into approved AI systems.

To maintain confidentiality:

- **Do not** input or otherwise grant access to non-approved systems or applications.
- **Do not** enter any information regulated under HIPAA, CJIS, PCI DSS or PII of employees, customers, or other third parties into any AI service that has not been explicitly approved for that purpose by the Napa County ITS Department.

#### **C. Copyright and Intellectual Property**

To protect the County from claims against copyright infringement and/or theft of intellectual property:

- **Do** ensure that content or assets generated, uploaded, or used in AI services complies with copyright laws and respects intellectual property rights to protect the County from potential claims of infringement or misuse.
- **Do** check with your supervisor or department head if you have questions about whether your use of AI services complies with copyright laws and respects intellectual property rights; elevate questions to County Counsel as necessary.

#### **D. Napa County Policy Compliance**

To protect County employees and clients from harm, and to protect the County from reputational damage, employees must use AI pursuant to Napa County's AI policy, departmental AI procedures, and the Acceptable Use policy.

AI-created content that is inappropriate, discriminatory or otherwise harmful to our employees or clients/customers must not be used for work purposes. Such use will result in disciplinary action, up to and including termination. To protect our employees, clients/constituents, and the County:

- **Do** obtain Napa County ITS approval for AI services to ensure it meets the standards for use.
  - **Do** obtain department head approval to ensure it meets the standards for use within your subject matter's operational area.
  - **Do** manually review the output of AI applications to make sure it meets County standards for principles of equity, ethics, and appropriateness.
  - **Do not** use any output that discriminates against individuals on the basis of race, color, religion, sex, national origin, age, disability, marital status, political affiliation or sexual orientation.
  - **Do not** use GenAI applications to create text, audio, or visual content for purposes of committing fraud or to misrepresent an individual's identity.
- E.** All employees and contractors are expected to comply with applicable laws, regulations, or County policies regarding the use or development of GenAI content or tools.
- F.** All employees are expected to report instances of unapproved compliance with this policy to their supervisor, manager and/or department head. For usage of AI technology that has not been approved by the Napa County ITS department, report to your department head. The department head will escalate to the Napa County ITS department. Employees are encouraged to speak up when they witness misconduct. Employees who report misconduct or concerns in good faith will be protected from retaliation.

#### **IV. Monitoring**

Napa County reserves the right to access and monitor the use of AI applications on any County-issued devices or that appears on County managed networks to ensure compliant use of these systems.

#### **V. Roles & Responsibilities**

1. The Napa County Technology Officer (CTO) is responsible for directing Napa County's technology resources, policies, projects, services, and coordinating the same with other County departments.
2. The CTO shall designate the Chief Information Security Officer (CISO), or equivalent to actively ensure AI systems are used in accordance with Napa County Information and System Security Policy, or applicable policy.
3. Departments have the authority to impose additional restrictions on AI usage, provided those restrictions do not conflict with this policy.
4. Departments are responsible for ensuring that AI service usage aligns with the department's service operations, maintains service integrity, and complies with all applicable County policies and regulatory requirements.
5. Departments are responsible for data processing practices.
6. The CTO is responsible for overseeing the enterprise digital privacy practices, and responsible usage of technology.
7. Napa County departments are responsible for adhering to this policy and any updates, as well as department-specific AI procedures, and must review compliance with these documents at least annually.

8. County Counsel is responsible for advising of any legal issues or risks associated with AI systems usage by or on behalf of Napa County departments.
9. The CTO may, at its discretion, inspect the usage of AI systems and require a department to alter or cease its usage of AI systems or a partner's usage of AI systems on behalf of the department.
10. Departments are responsible for overseeing department procurement of AI systems and requiring vendors to comply with Napa County Information Technology privacy and security requirements.

**VI. Enforcement**

County personnel who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-County personnel, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to County IT resources, and other actions as well as both civil and criminal penalties.