Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

NOTICE OF POLICY AND PERSONNEL COMMITTEE MEETING AND AGENDA

Marin Local Agency Formation Commission

November 18, 2026, ▪ 10:00 AM

Marin LAFCo Offices| Suite 220 | 1401 Los Gamos Drive, San Rafael, CA

Appointed Members

Barbara Coler | Eric Lucan | Rachel Farac

CALL TO ORDER BY CHAIR COLER

ROLL CALL BY CLERK

AGENDA REVIEW

The Chair or designee will consider any requests to remove or rearrange items by members.

PUBLIC OPEN TIME

This portion of the meeting is reserved for persons desiring to address the Committee on any matter not on the current agenda. All statements that require a response will be referred to staff for reply in writing or will be placed on the Commission's agenda for consideration at a later meeting. Speakers are limited to three minutes.

BUSINESS ITEMS (discussion and possible action)

Business Items involve administrative, budgetary, legislative, or personnel matters and may or may not be subject to public hearings.

1. Approval of July 2026 Meeting Minutes
2. Review and Discussion of Marin LAFCo Remote Work Policy
3. Review and Discussion of Proposed Marin LAFCo Use of Artificial Intelligence (AI) Policy

ADJOURNMENT TO NEXT MEETING

TBD

Attest: Claire Devereux
Clerk/Policy Analyst

Any writings or documents pertaining to an open session item provided to a majority of the Commission less than 72 hours prior to a regular meeting shall be made available for public inspection at Marin LAFCo Administrative Office, 1401 Los Gamos Drive, Suite 220, San Rafael, CA 94903, during normal business hours.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of more than $500 to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCo and continues until 12 months after a final decision is rendered by LAFCo. If you or your agent have made a contribution of more than $500 to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCo office at least three (3) working days prior to the meeting for any requested arrangements or accommodations.

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AGENDA REPORT
November 18, 2026
Item No. 1 (Business Item)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Junior Analyst

SUBJECT: Approval of July 28th, 2026, Policy and Personnel Committee Minutes

Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and establishes standards and processes therein for the public to attend and participate in meetings of local government bodies and those local legislative bodies created by State law, the latter category applying to LAFCos.

Discussion

The action minutes for the July 28th, 2026, policy and personnel committee meeting accurately reflect the Commission's actions as recorded by staff.

Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the July 28th, 2026, meeting with any desired corrections or clarifications.

2. Alternative option – Continue consideration of the item at the next regular meeting and provide direction to staff, as needed.

Attachment:
1) Draft Minutes for July 28th, 2026

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Barbara Coler, Regular
Town of Fairfax
Steve Burdo, Regular
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Marin Local Agency Formation Commission

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DRAFT

NOTICE OF POLICY AND PERSONNEL COMMITTEE MEETING MINUTES
Marin Local Agency Formation Commission

TUESDAY, July 28, 2026

CALL TO ORDER

Interim Executive Officer Batchelder-Seibel called the meeting to order at 3:03 P.M.

SELECTION OF CHAIR

Approved: M/S by Commissioners Hilliard and Lucan to elect Commissioner Coler as Chair
Ayes: Commissioners Lucan, Hilliard and Coler
Nays:
Abstain:
Absent:
Motion approved unanimously.

ROLL CALL BY COMMISSION CLERK

Roll was taken and quorum was met. The following were in attendance:

Commissioners Present:	Barbara Coler Eric Lucan
Alternate Commissioners Present:	Cathryn Hilliard (serving for Commissioner Farac)
Marin LAFCo Staff Present:	Jeren Batchelder-Seibel, Interim Executive Officer Claire Devereux, Clerk/Jr. Policy Analyst
Marin LAFCo Counsel Present:	N/A
Commissioners Absent:	Rachel Farac
Alternate Members Absent:	N/A

AGENDA REVIEW

There were no requests to remove or rearrange agenda items. No members of the public were present for public comment.

PUBLIC OPEN TIME

Chair Coler opened the public open period. Hearing no requests to speak, the Chair closed the public open time.

BUSINESS ITEMS

1. Approval of December 2025 Meeting Minutes

Chair Coler noted an error in Item 1 of the minutes regarding the identification of the individuals who made and seconded a motion.

The Committee requested that the error be corrected.

Approved: M/S by Commissioners Coler and Lucan to approve the minutes as corrected.
Ayes: Commissioners Lucan, Hilliard and Coler
Nays:
Abstain:
Absent:
Motion passed

2. Review and Discussion of Possible of Marin LAFCo Legal Services

Committee members discussed their prior experiences working with County Counsel. Members noted that while County Counsel had been adequate, responsiveness could be an issue when matters were time sensitive.

Chair Coler also noted that BBK's institutional knowledge and specialized LAFCo experience provide value beyond the apparent difference in hourly costs.

The Committee discussed the possibility that County Counsel could require additional research time on LAFCo-specific matters, potentially reducing or eliminating the apparent cost savings.

Members agreed that periodically reviewing legal services and costs is a useful governmental practice, but did not identify a compelling reason to change firms at this time.

Approved: M/S by Commissioners Lucan and Hilliard to retain Best, Best, & Krieger for legal services
Ayes: Commissioners Lucan, Coler and Hilliard
Nays:
Abstain:
Absent:
Motion approved unanimously.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

The Committee briefly discussed a potential future item concerning staff teleworking and the number of days staff may be required to work in the office.

Staff indicated that the applicable policy would be confirmed prior to a future discussion. The Committee may consider the matter at a subsequent meeting.

Chair Coler adjourned the meeting at 3:10 P.M.

ADJOURNMENT TO NEXT MEETING

TBD

Attest: Claire Devereux
Clerk/Junior Analyst

AGENDA REPORT
November 18th, 2026
Item No. 2 (Business Item)

TO: Local Agency Formation Commission

FROM: Jeren Batchelder-Seibel, Interim Executive Officer

SUBJECT: Review and Discussion of Marin LAFCo's Remote Work Policy

Background

The Marin LAFCo Chair has requested a formal review of the Remote Work Policy by the Policy and Personnel Committee with a stated desire to see staff in the office more often. The current Marin LAFCo Remote Work Policy (Policy) has been included as part of this agenda item for your review. Paraphrasing the current full Policy, at this time staff are allowed to work remotely if approved by the Executive Officer, with the exception of the agreed-upon open office hours day. The full policy language has been included in your packet.

Marin LAFCo has one posted day for conducting open office hours (currently Wednesdays) so the general public can drop in without an appointment, and all staff are required to be in the office on that day. In the 4 years that this has been standard operating procedure, there have been three members of the public who have dropped in on a Wednesday without a previously scheduled meeting. Outside of this one mandatory day, there are no specific requirements for the number of days per week that staff must be in the office. Prior to the previous Executive Officer departing, the office was staffed Tuesday through Friday, with the office being dark on Mondays as all three employees worked remotely that day. Additionally, should any member of staff have a scheduled meeting on a day that they would typically work remotely, staff adjust accordingly to be in the office on that day.

Following the former Executive Officer's departure and the new Chair's expressed desire to see an increase in staff presence, staff have ensured that the office is staffed during business hours five days per week, barring illness, emergency, or offsite meetings/conferences. For the Committee's reference, in the past two years, to staff's knowledge, there have been zero members of the public who have tried to drop in on a day that was not the posted open office hours day. Marin LAFCo utilizes a Voice over Internet Protocol (VoIP) provider for its current phone service. This allows staff, when not physically in the office, to be able to receive telephone calls to the office phone numbers on their work laptop while working remotely.

To aid in the Committee's review of this policy, staff reached out to the other LAFCos around the state to inquire which, if any, had their own remote work policies. Many LAFCos do not maintain a separate telework policy due to their staff either being consultants, county employees, or employees who are working under a county services agreement. In total, eight LAFCos

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returned a response with their own policy, with the majority being strikingly similar to Marin LAFCo's current policy that is guided by the Executive Officer's discretion and approval. These policies have been included in your packet for your review.

The County of Marin's telework is governed by Personnel Management Regulation 27 (PMR 27). PMR 27 does not establish a countywide in-office requirement or a minimum number of in-office days. Instead, it places telework at the sole discretion of each department head. Changes in in-office expectations within individual County departments are therefore department-level decisions made under this discretion, not by a countywide policy change. Staff took the time to pay a visit to the Marin Association of Public Employees (MAPE) office to speak with a representative for confirmation of this policy position. The representative from MAPE confirmed that remote work standards are handled on a department-by-department basis under the overarching language found in PMR 27. The full language of PMR 27 has been included in your packet today.

Staff views reviews and any possible revisions to current policies as a decision for the Commission to make, so staff has no formal recommendation on whether the Commission should change the policy as it currently stands. For next steps on this matter, should the Committee wish to recommend a change or that the full Commission have a discussion on this matter, staff would agendize that for the December Commission meeting. Should the Commission deem that no change is warranted at this time, a report out from the Committee would be included on Consent.

Staff Recommendation for Action

1. Staff Recommendation – Staff views this as a Committee decision. When the Committee completes its review, it should make a recommendation to the full Commission for approval at our August meeting.

2. Alternate Option – Continue this item to a future Committee meeting for further review and consideration, providing staff with any direction as necessary.

Attachment:

1. Marin LAFCo Remote Work Policy
2. Other LAFCo Remote Work Policies
3. Marin County Personnel Management Regulation 27

12.8 Remote Work

LAFCo provides employees with the privilege of working remotely when appropriate. LAFCo considers remote work to be a viable alternative work arrangement in cases where the employee and the employee's position are well-suited to working remotely on a hybrid basis. Remote work allows employees to work offsite for part of their regular work week. Remote work is a voluntary work alternative that may be appropriate for some employees and some jobs. It is not a guarantee or an entitlement and it in no way changes the terms and conditions of employment with LAFCo. Employees are not required to work remotely. Remote work needs to be requested by the employee and approved by the Executive Officer and may be revoked at any time by the Executive Officer when they have determined it is in the Commission's best interests. Staff is expected to be in the office on day(s) that LAFCo is conducting Open Office hours so the general public can drop in without an appointment unless special circumstances (i.e. illness) warrant the person working remotely.

1) All remote work employees are expected to:

(a) Maintain consistent work hours during LAFCo's hours of operation.

(b) Establish a routine of periodic reports to the Executive Officer.

(c) Be readily available for impromptu video, email, and phone conversations. Communicate effectively and be responsive to requests (whether by phone, e-mail, or video).

(d) Maintain a dedicated home office environment free of distractions and background noise.

(e) Devote 100% attention when working remotely as if you were in the office.

(f) Store all work products on the LAFCo network and do not store them in any local storage of the home computer or laptop.

(g) Report to LAFCo's offices and/or other work locations in person for meetings or other activities as required by the employee's manager.

(h) Managers may require additional methods of communication and reporting to ensure employees are accessible and reliable.

(i) Follow all requirements that would be expected if at the office including:

- (i) Dress code during video meetings.
- (ii) Anti-discrimination/Equal opportunity/anti-harassment.
- (iii) All LAFCo policies must be followed as if they were working onsite or on LAFCo property. This includes policies governing appropriate conduct in the workplace and towards one's fellow employees, regardless of working location. Any employee who violates any of LAFCo's policies while working remotely shall be subject to revocation of their remote arrangement, in addition to any disciplinary measures that would be taken if the employee was working onsite.

- (iv) Any request to work overtime, take vacation, or use other leave must be approved by the Executive Officer in the same manner as when working onsite.
- (v) Remote work is not a substitute for childcare dependent care. A remote working employee is expected to make alternative arrangements for childcare or other dependent care obligations when working remotely.

2) Safe Worksite & Cal/OSHA Compliance

LAFCo is committed to ensuring a safe worksite in compliance with the rules and guidelines set forth by the Division of Occupational Safety and Health (Cal/OSHA). Employees who work remotely are responsible for designating one area in their home as the worksite. The employee must also certify in writing that, should any condition arise at the remote worksite where the health and safety requirements are no longer met or if any other hazardous condition occurs, the employee will notify their supervisor immediately and cease working at the remote worksite until the condition has been remediated. The employee shall not be permitted to resume remote working from the remote worksite without the express authorization of the Executive Officer. The Executive Officer may request photos of the employee's remote worksite at any time. If the employee refuses such a request, they may not be allowed to continue remote work. The Executive Officer reserves the right to refuse or rescind a remote work agreement based on the employee's failure to adhere to the guidelines, or they make the reasonable assessment that the employee's worksite poses a health or safety risk. If an employee incurs an injury or illness in the course or scope of employment while remote work, Workers' Compensation requirements apply. Employees must immediately notify their supervisor and complete all necessary paperwork as required by LAFCo. Actions that the remote worker may take during break periods from working and actions not directly related to the approved remote work are not covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in their LAFCo workspace, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising, and interacting with non-LAFCo employees for non- business purposes. LAFCo shall in no instance be liable for injuries to third persons, including members of the employee's family, who enter the employee's worksite or otherwise interact with the employee or use their home office equipment. Remote work employees with disabilities shall be entitled to the same rights and accommodations they would be entitled to under all applicable state and federal laws and LAFCo policy. Remote work may be provided as a reasonable accommodation, and such arrangement is addressed in a separate reasonable accommodation policy. Should an employee need any type of accommodation arising out of a disabling condition, the employee should refer to the reasonable accommodation policy and make an appropriate request.

3) Expenses, Equipment, and Supplies

Employees are not required to work remotely. Expenses incurred as a result of remote work will not be reimbursed by LAFCo unless they are normally reimbursable pursuant to LAFCo policies, or pre-approved in advance at the sole discretion of the Executive Officer. Such non-reimbursable expenses include, but are not limited to, utility costs, purchase of office equipment or furniture, and travel to and from the LAFCo office if required to be onsite. Remote work employees may use LAFCo office equipment and supplies at any time, according to need. For example, a remote work employee is allowed to come to the LAFCo office to use printing and copying equipment, administrative assistance, or other office resources to which the employee would have access if they were working onsite. With the advance approval of the employee's supervisor, a remote work employee may be permitted to take LAFCo office supplies to their remote worksite to facilitate productivity. Such supplies may include printer paper, pens and pencils, or other miscellaneous office-related or ergonomic-related items. Employees using LAFCo-provided equipment must be able to independently transport and set- up the equipment at their own telework site. All LAFCo policies and procedures involving LAFCo equipment apply to employees using LAFCo equipment at the remote worksite. LAFCo will provide for repairs to LAFCo equipment through

an authorized vendor. An employee may be subject to disciplinary action for intentional or willful damage caused by the employee. Employees should not remove any item from LAFCo property to use offsite without the express permission of the Executive Officer. Please note that the LAFCo will not provide for repairs to non-LAFCo equipment even if it has been approved for use by the LAFCo.

4) Technology and Security Standards

Remote work employees shall only use LAFCo approved computers when accessing LAFCo resources and files. Remote work employees using internet connections, smart phones and other technology are responsible for ensuring and certifying that they meet the same security standards as if they were using LAFCo technology. Those standards are set forth by our independent IT provider. The Executive Officer, with support as needed from our IT provider, shall assess whether the employee's remote worksite ensures the level of security required by LAFCo. At the supervisor's discretion, the remote work employee may be required, as a condition of remote work, to establish a secure internet connection, install enhanced password protection or encryption software, keep confidential materials in a locked or otherwise secured location, restrict non-employees' (such as family members') usage of computers or smart phones used for LAFCo business, and any other measure required to maintain LAFCo's information security standards. Any and all policies governing employee usage of LAFCo approved computers, internet connections and mobile devices shall apply to remote work employees when they are using their personal equipment in the course and scope of employment, and when they are using LAFCo technology at any time. Employees using LAFCo technology or conducting LAFCo business on personal devices have no expectation of privacy.

5) Communication and Collaboration

Working from a remote location adds challenges to effective communication, teamwork, and collaboration. The remote employee is responsible for ensuring effective communication and participation while working remotely and for ensuring that coworkers and the Executive Officer feel informed and confident about the work results being produced.

LAFCo Telework and In-Office Work Requirements

Summary of Findings

LAFCo	Documented Telework / In-Office Provisions
Napa	Telework is permitted at the Executive Officer's discretion on a part-time basis only, with regularly scheduled hours agreed upon with the Executive Officer and the same accessibility as on-site staff. It is a arrangement, not an entitlement, and may be ended at any time by either the Executive Officer or the employee.
Santa Barbara	All remote work requires prior Executive Officer approval; arrangements may be permanent or temporary based on business needs. The signed agreement specifies the employees' remote days and treats Regular and Special Commission meeting dates as mandatory unless remote attendance is authorized.
Riverside	Telecommuting is a management prerogative, authorized by the Executive Officer for staff and by the Commission for the Executive Officer. It is limited to employees with at least one year of service, a completed probationary period, and acceptable performance, and it requires a signed agreement renewed annually. The policy allows up to five telecommute days per week, subject to further limits by the Executive Officer and in-office attendance when needed. Either party may end the arrangement at any time.
El Dorado	Remote work requires Executive Officer approval. It may be full-time, hybrid, or occasional. Remote employees must keep consistent hours during office hours, be readily reachable by phone, email, and video, and report to the office in person when required. The Executive Officer may reduce or end any arrangement; the Chair approves and may change arrangements for the Executive Officer.
Sonoma	Policy 4-13 covers County departments and several County special districts. It leaves telework to each department head's discretion under a signed Telework Agreement, based on whether duties can be performed remotely without affecting service. Teleworkers must live in California and be able to report within about two hours. Agreements can be revoked with seven days' written notice. Like Marin's PMR 27, the policy sets no countywide minimum in-office days.
Santa Cruz	With Executive Officer approval, staff may work remotely full-time, on a hybrid schedule, or occasionally. The Executive Officer or the Commission can require staff to report to the office as needed, and the Executive Officer may reduce or end any arrangement; the Chair holds that authority for the Executive Officer's own arrangement. Remote staff must keep consistent hours during office hours, submit periodic work plans and reports, stay readily reachable, store all work on the LAFCO network, and pay for their own home office setup.
Sacramento	Follows the County of Sacramento Telework Policy. Employees who wish to telework must review and sign a Telework Agreement. Barring extenuating circumstances, telework is limited to a maximum of two days per week, meaning at least three in-office days.
Alameda	Allows remote work on a hybrid basis only, as a voluntary privilege approved and revocable by the Executive Officer. Staff must be in the office on Open Office Hours days, report in person as required, stay readily reachable, and make separate dependent care arrangements. Home office costs are the employee's responsibility.

Many LAFCOs do not maintain a separate telework policy because their staff are county employees or are provided under a county services agreement.

County telework is governed by Personnel Management Regulation 27 (PMR 27). PMR 27 does not establish a countywide in-office requirement or a minimum number of in-office days. Instead, it places telework at the sole discretion of each department head. Changes in in-office expectations within individual County departments are therefore department-level decisions made under this discretion, not a countywide policy change.

Eligibility (27.2)

- The job must be primarily knowledge-based or project-oriented with measurable deliverables, and telework can't compromise the unit's functions.
- The employee must have passed probation, unless the department head waives this, and have a current "Meets Standards" or better evaluation.
- Jobs are generally not suitable if they require:
    - face-to-face interaction, or presence for quick-turnaround team tasks or unscheduled events;
    - access to secure or special office resources;
    - answering incoming calls or onsite coverage for rotating tasks;
    - field work that must start and end at the work location.
- Telework is a work assignment, not a right, and is at the sole discretion of the department head. It can be removed at any time, and removal isn't grievable matter

Approval (27.3)

- The employee submits a Telework Agreement (Form 1) covering general terms, specific terms, and a home ergonomic self-certification.
- IST approves remote network access, the department head signs, and the original goes in the personnel file.
- Departments may require periodic reviews.

How it works (27.4–27.7)

- **Number of days:** PMR 27 sets no required number of in-office or telework days. Each department sets them in advance with the supervisor. That's why the three-day in-office standard appeared in a County job posting rather than in PMR 27.
- **Whole days:** Full telework days are preferred over split days, to reduce commute trips.
- **Availability:** Teleworkers must be as accessible as onsite staff during agreed hours, and overtime needs prior approval.
- **Costs:** Home equipment and household expenses are generally the employee's responsibility and not reimbursable.
- **Other rules:** All County rules apply at the home workplace, and work-related injuries at home during work hours are handled like any other workplace injury.

Travel and training (27.8–27.9)

- The home may be designated as headquarters for mileage and per diem, case by case.
- No travel pay for coming into the office for meetings.
- Teleworkers and supervisors may be required to take training.

Marin Local Agency Formation Commission
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AGENDA REPORT
November 18th, 2026
Item No. 3 (Business Item)

TO: Policy and Personnel Committee

FROM: Jeren Batchelder-Seibel, Interim Executive Officer

SUBJECT: **Review and Discussion of Proposed Marin LAFCo Use of Artificial Intelligence (AI) Policy**

Background

At the CALAFCO Annual Conference in October, a session on Artificial Intelligence (AI) and Local Government was presented by San Benito LAFCo Executive Officer Jennifer Stephenson, as well as Joseph King, who is the Technical Director of George Mason University's Rapid Prototyping and Research Center. San Benito LAFCo was the first LAFCo in the state to adopt a formal policy surrounding staff's use of AI, and shares the same legal counsel as Marin LAFCO of Best, Best, and Krieger (BBK). With the rapidly changing landscape of AI, it was recommended both in this session and the legal counsel round-table session at the conference for all LAFCos to consider formally adopting an AI use policy.

Upon returning from the conference, Marin LAFCo staff had discussions with our Information Technology (IT) team from Fort Point IT, as well as with legal counsel on the proposed policy. Both parties approved of the proposed policy language, which is included as part of this agenda item. The proposed policy gives the Commission clear oversight of the ethical, legal, and public-trust boundaries, while giving the Executive Officer the flexibility to approve or restrict specific tools without needing a formal Policy Handbook revision. Fort Point also agreed to work with staff to set up a fresh Marin LAFCo account with the AI model of our choosing and create the necessary parameters within that AI model to ensure the new policy language can be adhered to at all times.

Given the current layout of the Marin LAFCo Policy Handbook, staff would recommend adding this as a new section at the end of Chapter 3: LAFCo Business and Operations.

Staff Recommendation for Action

1. Staff Recommendation – Approve the attached policy language and recommend adoption of the policy to the full Commission at the next meeting.

2. Alternate Option – Continue this item to a future Committee meeting for further review and consideration.

Attachment:
1. Use of Artificial Intelligence (AI) Policy

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MARIN LOCAL AGENCY FORMATION COMMISSION

USE OF ARTIFICIAL INTELLIGENCE (AI)

1.0 PURPOSE

The purpose of this Policy is to establish formal standards governing the use of Artificial Intelligence ("AI") by the Marin Local Agency Formation Commission ("LAFCO") to ensure that such use is consistent with applicable law, protects the integrity of LAFCO decision-making, safeguards confidential information, and promotes transparency and public trust.

2.0 AUTHORITY

This Policy is adopted pursuant to LAFCO's authority under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq.) and in compliance with applicable state and federal laws, including but not limited to the California Public Records Act, the Ralph M. Brown Act, and applicable statutes governing artificial intelligence and data privacy.

3.0 APPLICABILITY

This Policy shall apply to all LAFCO commissioners, officers, employees, contractors, and consultants engaged in the conduct of official LAFCO business.

4.0 DEFINITIONS

For purposes of this Policy:

4.1 Artificial Intelligence (AI)

Software systems capable of generating text, data analysis, recommendations, or other outputs in response to user inputs.

4.2 AI Tool(s)

Any software application or platform utilizing AI technology.

4.3 AI-Generated Content

Any material, including text, data, or analysis, produced in whole or in part by an AI Tool.

4.4 Authorized AI Tools

AI Tools that have been expressly approved by the Executive Officer or designee for use in LAFCO business.

5.0 GENERAL POLICY

5.1 Use as a Supplemental Tool

AI may be utilized as a supplemental tool to assist in the preparation of materials and administrative functions.

5.2 Human Judgment Preserved

AI shall not replace human judgment, professional expertise, or the deliberative processes of LAFCO.

5.3 Responsibility and Accountability

LAFCO retains full responsibility and accountability for all decisions, actions, and official documents, regardless of whether AI was used in their preparation.

6.0 PERMITTED USES

AI Tools may be used for limited, low-risk administrative and support functions, including:

- Drafting preliminary documents, correspondence, or reports
- Summarizing publicly available information
- Assisting with formatting, editing, or organization of materials
- Generating outlines or preliminary analyses for staff review
- Project and application management
- Supplemental productivity tools

All permitted uses are subject to the review and verification requirements set forth in this Policy.

7.0 PROHIBITED USES

AI Tools shall not be used for:

- Final decision-making or the formulation of official LAFCO determinations without independent human review
- The provision of legal advice without review by legal counsel
- Inputting or processing confidential, privileged, or sensitive information, including but not limited to personnel records, litigation materials, or non-public agency data into open AI systems that do not provide confidentiality protections
- Using AI in a manner that interferes with the basis for LAFCO decisions
- Circumventing the requirements of the Ralph M. Brown Act or other open meeting laws
- Any use that violates applicable law, regulation, or other LAFCO policies

8.0 HUMAN REVIEW AND ACCOUNTABILITY

8.1 Mandatory Review

All AI-Generated Content shall be reviewed by LAFCO staff prior to use in any official capacity.

8.2 Responsibility for Accuracy

The individual utilizing the AI Tool shall be responsible for ensuring the accuracy, completeness, and appropriateness of all content. If an individual becomes aware of inaccuracies in AI-Generated Content, harms caused by use of AI Tools, or other AI issues, the individual shall promptly report them to the Executive Officer.

8.3 Retention of Authority

No authority or responsibility of LAFCO shall be delegated to an AI Tool.

9.0 ACCURACY AND VERIFICATION

9.1 Independent Verification

AI-Generated Content shall not be relied upon without independent verification. LAFCO staff must be able to understand, explain, and if needed publicly justify all AI-Generated Content included content found in reports and recommendations.

9.2 Authoritative Sources Required

All factual information must be confirmed and supported by reliable and authoritative sources. Citations created by AI Tools may be inaccurate and must be checked against reliable sources.

9.3 Primary Authority Citations

Citations in LAFCO documents shall reference original source materials; AI outputs shall not be cited as primary authority.

9.4 Heightened Scrutiny

Additional scrutiny shall be applied in matters involving policy recommendations, boundary changes, or quasi-adjudicatory decisions.

10.0 PUBLIC RECORDS AND TRANSPARENCY

10.1 Public Records Act Compliance

AI-related materials, including prompts and outputs, may constitute public records subject to disclosure under the California Public Records Act. LAFCO staff should consider when creating AI outputs that they may become publicly available and distributed widely in the community.

10.2 Retention Compliance

Records created or used in conjunction with AI Tools shall be retained in accordance with LAFCO's records retention policies.

10.3 Public Disclosure Requirements

LAFCO shall disclose the use of AI in the preparation of public-facing documents.

10.4 Brown Act Compliance

AI Tools shall not be used to conduct or simulate deliberations in violation of the Brown Act.

11.0 CONFIDENTIALITY AND DATA SECURITY

11.1 Protection of Sensitive Information

Users shall not input confidential, privileged, or sensitive information into AI Tools unless the tool is expressly authorized by LAFCO and is a secure enterprise AI system that guarantees confidentiality protections such that appropriate data safeguards are in place.

11.2 Standard Security Approvals

Only Authorized AI Tools that meet applicable security and data protection standards may be used for LAFCO business. Employees are not permitted to use free-to-use GenAI websites or models that require the employee to create an account and agree to the terms and conditions of the GenAI company.

11.3 Data Privacy Legal Compliance

To the extent feasible, all users of AI systems shall strive to comply with applicable privacy and data protection laws and policies.

12.0 ETHICAL USE AND BIAS MITIGATION

12.1 Mitigation of Potential Bias

AI-Generated Content shall be reviewed by LAFCO staff for potential bias, discrimination, or inequitable impacts.

12.2 Alignment with Agency Principles

LAFCO shall ensure that the use of AI aligns with principles of fairness, equity, and public accountability.

13.0 DOCUMENTATION AND SOURCE TRANSPARENCY

13.1 Support Tool Designation

AI shall be used as a support tool and not as a substitute for evidence-based analysis.

13.2 Requirement for Verifiable Sources

All official LAFCO documents shall be supported by verifiable source documentation.

13.3 Prohibition on Unverifiable Data

AI-Generated Content shall not be relied upon where supporting sources and/or documentation are unavailable or unverifiable.

14.0 TRAINING

LAFCO shall provide periodic training to applicable personnel regarding:

- Appropriate use of AI Tools
- Risks and limitations of AI technologies
- Legal and ethical obligations under this Policy

15.0 ADMINISTRATION

The Executive Officer, or designee, shall be responsible for:

- Approving Authorized AI Tools
- Implementing and administering this Policy
- Monitoring compliance and recommending updates
- Implementing LAFCO standard operating procedures to effectuate the goals of this Policy, including, at the Executive Officer's discretion, the creation of an internal documentation process for use of AI Tools
- Revoking use of AI Tools for all users if circumstances call for such action

16.0 ENFORCEMENT

Failure to comply with this Policy may result in:

- Revocation of access to AI Tools
- Disciplinary action consistent with applicable personnel policies

17.0 REVIEW AND AMENDMENT

This Policy shall be reviewed periodically and may be amended by LAFCO as necessary to reflect changes in law, technology, and best practices.

18.0 OPTIONAL DISCLOSURE STATEMENT

The following statement may be included in public documents, as appropriate:

> "This document may have been prepared with the assistance of artificial intelligence tools. All content has been reviewed and verified by LAFCO staff for accuracy and compliance with applicable laws."

19.0 VENDOR AND THIRD-PARTY REQUIREMENTS

Contracts with vendors providing AI Tools must include provisions for:

- Data ownership and explanation that LAFCO retains ownership
- Restrictions on vendor use of AI Tools
- Transparency about AI Tools' capabilities and limitations
- Use of LAFCO data to train AI models