



TMM

RISK POOL

101 for City Attorneys

Scott Houston

Intergovernmental Relations Manager

Here's what we're doing:

1. Ethics: Offering counsel and competency.
2. The Pool's mission: stable rates and loss prevention.
3. The “Gut Punch Chronicles” and the Pool's responses.
4. The “Local Officials: *Stronger, Together*” Podcast.
5. Loss prevention and the *R.O.A.D. Ready* Program.

Texas Communities are **STRONGER TOGETHER**



Our Ethical Duties – Offering Counsel:

- **Advice couched in narrow legal terms may be of little value to a client, especially where practical considerations, such as costs or effects on other people, are predominant.** (II. Counselor – Rule 2.01 Advisor, Comment 2 [Scope of Advice])
- The lawyer's responsibility as advisor may include **indicating that more may be involved than strictly legal considerations.** (II. Counselor – Rule 2.01 Advisor, Comment 3 [Scope of Advice])
- **A lawyer may initiate advice to a client when doing so appears to be in the client's interest.** (II. Counselor – Rule 2.01 Advisor, Comment 5 [Offering Advice])
- Each lawyer should strive to become and remain **proficient and competent** in the practice of law, **including the benefits and risks associated with relevant technology.** (I. Client-Lawyer Relationship – Rule 1.01 Competent and Diligent Representation, Comment 8 [Maintaining Competence])





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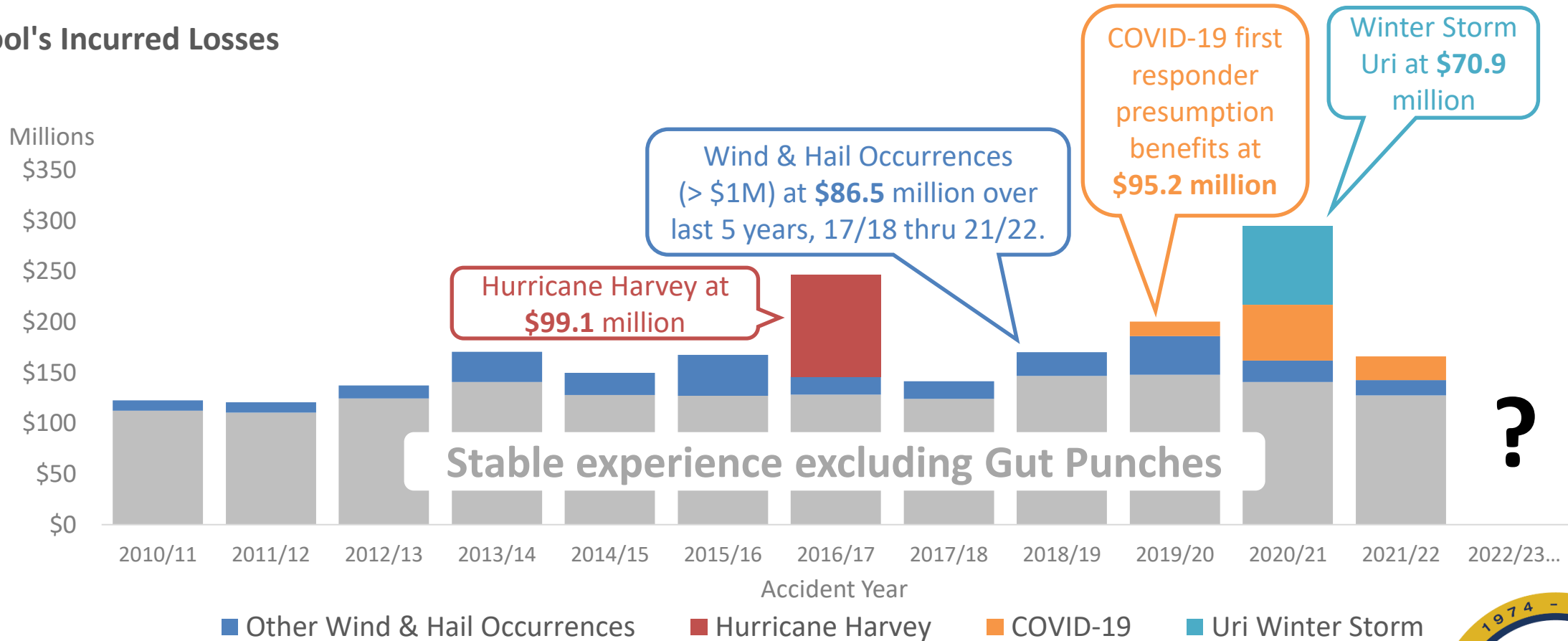
“The mission of the Texas Municipal League Intergovernmental Risk Pool is to offer and provide Texas municipalities and other units of government with a **stable and economic source of risk financing and loss prevention services.**”

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The Gut Punch Chronicles...

Pool's Incurred Losses

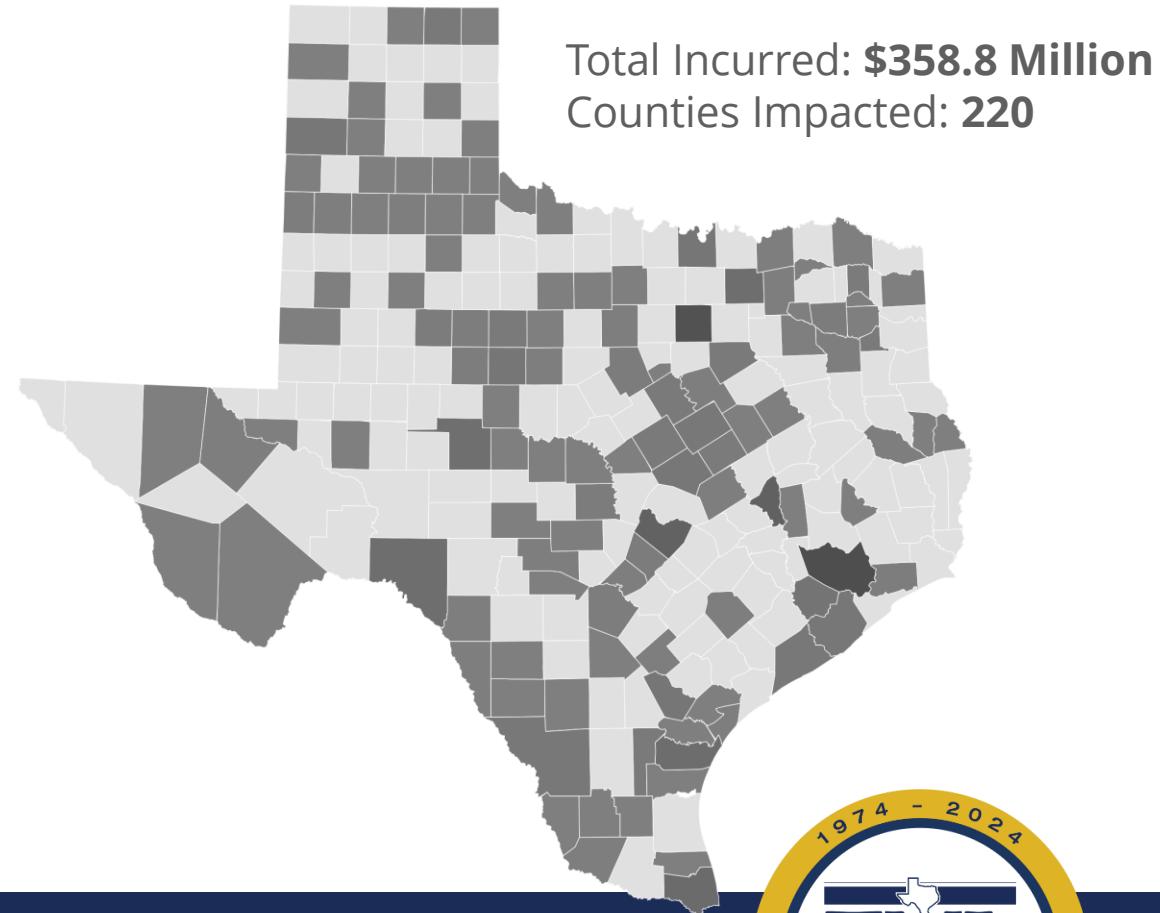


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It can happen anywhere... Combined "Gut Punches"

- 220 of 254 counties incurred losses associated with "Gut Punches Chronicles."
- Just one of the Pool's responses: "Turnkey Recovery Program."



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Turnkey Recovery



[Listen Now](#)



EPISODE 6, posted May 19, 2021

“The storm has passed, now what? The Pool's SynergyNDS Turnkey Recovery Program”

Explains: (1) the legalities of purchasing and rebuilding requirements after a hurricane or other disaster; and (2) how the Pool uses Synergy to assist Member recovery.

Further Information

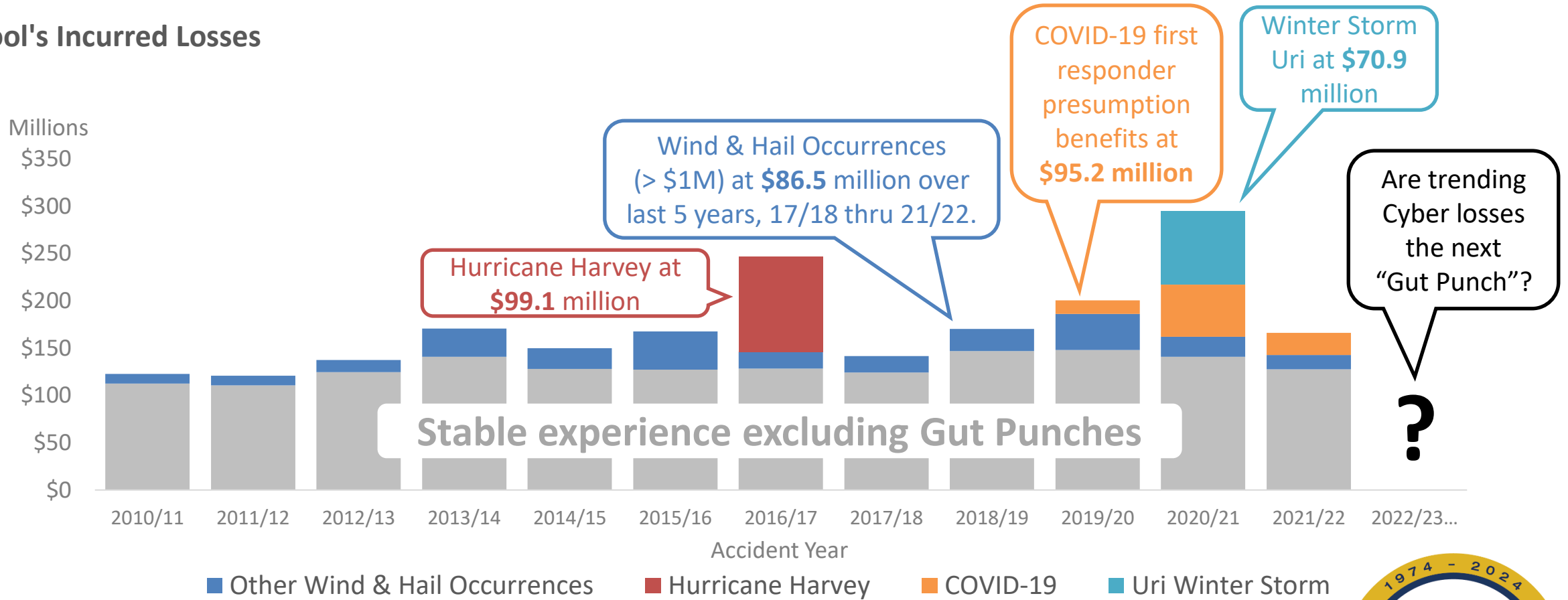
- [SynergyNDS Flyer](#)
- [Synergy/TML Risk Pool Hurricane Harvey Recovery Video](#)
- [Synergy's TML IRP Website](#)
- [TML Emergency Management Resources](#)
- [TDEM Preparedness](#)





The Gut Punch Chronicles...

Pool's Incurred Losses



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Cyber Claims as of 5/1/2024

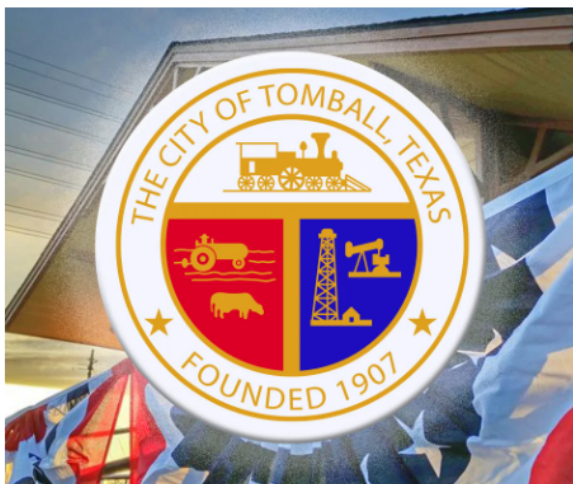
\$817,000

\$1,200,000

— Total Net Incurred — Number of Claims

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EPISODE 9C, posted February 9, 2024

“You’ve Been Cyber-Attacked: When Nothing Works at All - Five Things Every City Manager (and Everyone Else) Should Know!”

In this eye-opening episode, Scott interviews City of Tomball Assistant City Manager Jessica Rogers. Cyber-criminals hacked Tomball at the end of 2022, and the city is still — one year later — dealing with the aftermath. In this episode — which should be required listening for every city manager in Texas (and beyond) — Jessica explains exactly what it’s like to have essentially every computer system go down, including 9-1-1 dispatch, utility metering and billing, permitting, and everything in between. She’ll also describe the long road to getting everything up and running. Don’t miss our chance to learn from this chill-inducing story.

Further Information

Texas City Management Association’s “TCMA Messenger” [Newsletter article: “There and Back Again, An ACM’s Journey”](#)

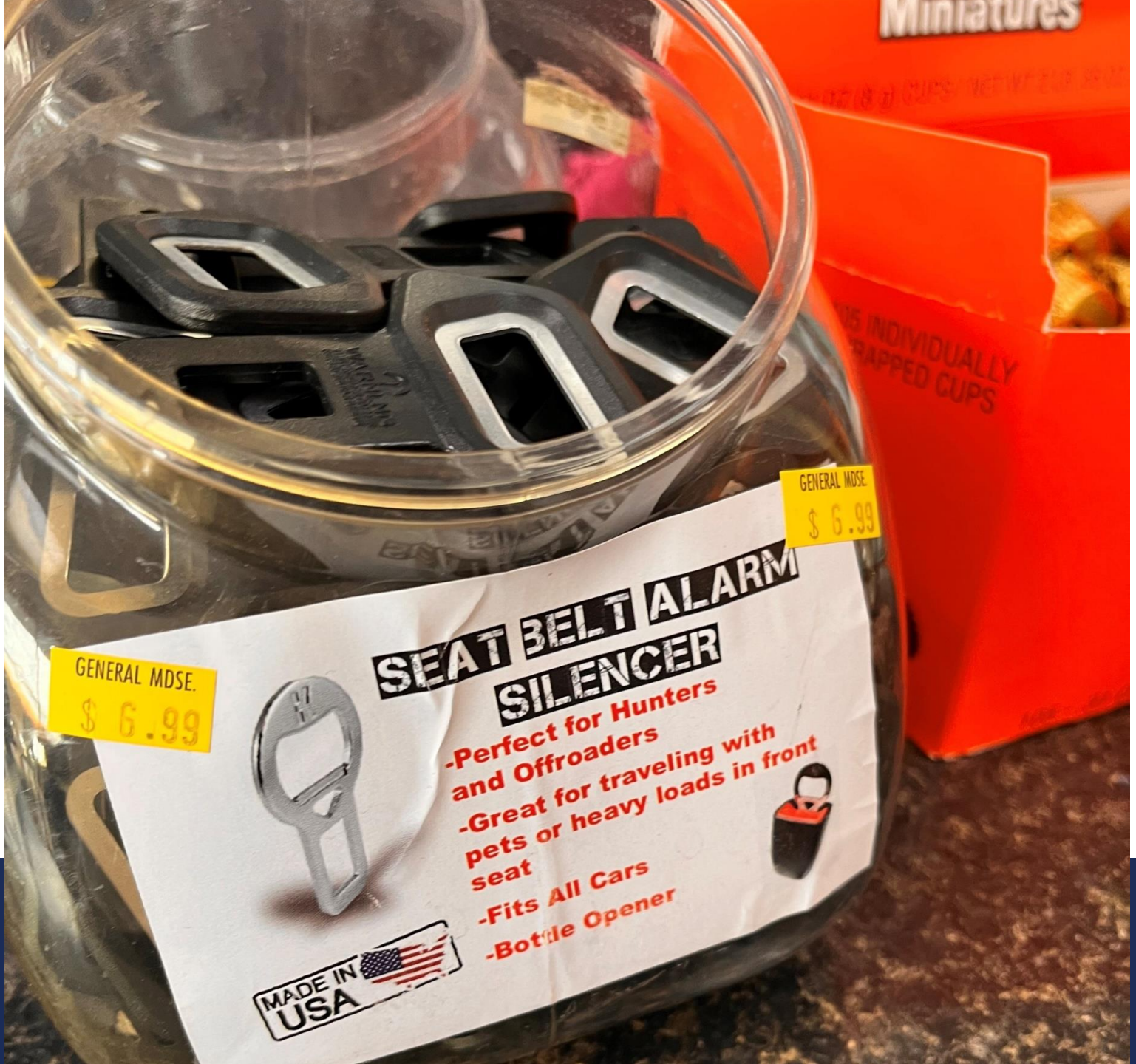
Center for Internet Security’s [2022 Nationwide Cybersecurity Review](#)

TML Risk Pool’s [Cyber Liability Home Page](#)



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- Fits All Cars
- Bottle Opener



More than **4,268 people were killed on Texas roads** in 2023, making it the fourth deadliest year since TxDOT began tracking fatalities in 1940...



Consultation



Safety Meeting



[Listen Now](#)

EPISODE 11A, posted December 8, 2023

“January is R.O.A.D. Ready Month: Protect Those Who Work in and Around Roadways”

The year 2023 has seen multiple city employee struck-by fatalities on Texas roadways. The TML Risk Pool’s goal is to reduce that to zero in 2024, and we’ve developed a program to do just that. R.O.A.D. Ready is a Risk Pool program designed to save lives, prevent injuries, and protect property by raising member awareness of dangers on and near roadways, and January is R.O.A.D. Ready month. Listen in to learn how you can participate and stop one of your employees from being a statistic.

Further Information

- [R.O.A.D. Ready Web Page](#)
- [Find Your Safety and Loss Control Consultant](#)
- [Safety @ Your Fingertips Sign Up](#)
- [YouTube Video](#)



Safety ROADEO

Much more stuff:

1. “Call before you fire.”
2. Law enforcement consultant.
3. Cybersecurity preparedness (2 FTEs).
4. Human resources training specialist.
5. Public works training specialist.
6. Spanish language loss prevention podcast.
7. Loss prevention training.



Our Ethical Duties – Offering Counsel:

- **Narrow legal advice may not help:** It pays to advise your client on ways the Pool can help them save lives, prevent injuries, and protect property.
- **When more may be involved than strictly legal considerations:** What do their losses look like? You can suggest a consultation with Pool staff to help get them on track.
- **A lawyer may initiate advice to a client when doing so appears to be in the client's interest:** Maybe they need help that the Pool can provide.
- **Advising on the benefits and risks associated with relevant technology:** Yes, this is meant to apply to you in your practice, but as a member of the “C-Suite,” you also need to understand what to do if you’re client is hacked – CALL US FIRST!

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*Partnering with Texas Local Governments **Since 1974***

