



1. Authorization. The Presidio County Commissioners Court ("Commissioners Court") is authorized to develop, maintain, and control Facilities in Presidio County pursuant to Texas Local Government Code, and other applicable statutes.

2. Purpose and Method.

- (a) **General Purpose.** The purpose of this policy is to establish the guidelines and criteria under which Presidio County can develop, maintain, and control its Facilities in order to support county operations, public service, and historical values.
- (b) **Method.** This Policy will establish the framework for clarifying necessary coordination between Commissioners Court authority, Facilities Maintenance Personnel, and Facilities Users.
- (c) **Waiver and/or Modification of Requirements.** The Commissioners Court retains the right to waive or modify any of the requirements of this Policy, when it determines that the waiver and/or modification is:
 - necessary in order to serve the public interest,
 - will allow use which will continue to meet the intent of this Policy, and
 - will not violate any applicable statutory requirements.
- (d) **Limitation.** The adoption of this policy does not:
 - (i) limit the discretion of the Commissioners Court to delegate to its employees the authority to determine whether or not the Commissioners Court should consider a particular application for facilities use; or
 - (ii) create any contract or other legal right in any person to have the Commissioners Court consider or grant a specific application or request for facilities use.

3. Definitions. Under the Presidio County Facilities Management Policy ("Policy"), these words have the following meaning:

- (a) **"Building"** means any County owned structure designed for the use of County employees or the public.
- (b) **"County Operations Department"** means any mandated function of County Government specifically described in County policy and/or budget which shall have a appointed Department Manager or elected official in charge.
- (c) **"Department Manager"** means a County employee with management and budget authority over a County Operations Department.
- (d) **"Facilities"** means Buildings or Parks.
- (e) **"Facilities Maintenance Personnel"** means County employees or representatives who are managed by the Facilities Manager.

- (f) "**Facilities Manager (FM)**" means the Department Manager of the Facilities Maintenance Personnel and budget of a Facilities Zone.
- (g) "**Facilities User**" means any County Operations Department, elected official, organization, or individual that may use County owned facilities.
- (h) "**Facilities Zone**" means any set of County Facilities which have been assigned to an FM for maintenance responsibility. A description of Facilities Zones, FM assignments, and allocation of Facilities to County Operations Departments, will be maintained and included as part of this policy in ATTACHMENT 1.
- (i) "**Park**" means any County owned Facility primarily incorporating outdoor space for public use.
- (j) "**County Use**" means use of a County Facility by one or more County Operations Department or elected official(s).
- (k) "**Dedicated Use**" means use of a County Facility for exclusive use by one County Operations Department or elected official.
- (l) "**Public Use**" means use of a County Facility by some person or organization other than a County Operations Department or elected official.
- (m) "**Shared Use**" means use of a County Facility by more than one County Operations Department or elected official.

4. Guidelines and Criteria The following criteria will be used as a baseline for determining facilities use under this Policy:

- (a) **Space Allocation.** The FM is responsible for maintaining space as allocated by the Commissioners Court. This maintenance includes modification to existing assigned space. All Department Managers and elected officials requesting space assignment, allocation, relocation, remodeling, renovating, or otherwise modifying existing space, must contact the FM. The FM will evaluate the request and advise the Department Manager or elected official of the required steps to proceed. These steps shall include obtaining Commissioners Court approval, and may include:
 - (i) Identifying funds for the project.
 - (ii) Identifying alternate plans, as appropriate.
 - (iii) Determining whether project will be done in house, or through a contractor.
 - (iv) Determining short/long term impact of changes requested, if applicable.
- (b) **Access.** The FM is responsible for access control in County Facilities, as assigned by Commissioners Court. Access control includes mechanical locks, cylinders, keys, padlocks, and electronic locks. No Department Manager or elected official may remove, rekey, or otherwise change or install new locks on any door in their assigned areas at County-owned Facilities. County Operations Departments located at leased facilities must comply with the terms of their lease agreement, which will almost always require authorization by the landlord to change existing locks or install new locks. Once landlord authorization is obtained, the FM will assist the department in changing or installing locks upon request.

The FM shall have a master key and/or set of keys to all County Facilities, with the exception of the detention facilities. If an area is considered "high security", the Department Manager or elected official may install an electronic access lock with audit trail, at their expense, however FM must have an entry code to access the area in case of emergency. The Department Manager or elected official must provide

for access and authority for Facilities Maintenance Personnel and representatives to enter the Facilities for inspection and maintenance.

Access for Public Use of County Facilities must be arranged with the FM. Security deposits, use fees, Facilities Maintenance Personnel costs, and repairs may be charged to the Public User as specified in a published cost schedule approved by Commissioners Court, or as otherwise directed by Commissioners Court.

- (c) **Usage.** County Use of any Facility must be consistent with the general purpose of the County Operations Department or elected official assigned as user. Public Use of any Facility must support County policies of public information, public recreation, community development, health and emergency services, economic development, and historical preservation.
- (d) **Evidence of ability to comply.** Any application or other submission for consideration of Public Use under this Policy must include evidence of the User's ability to comply with all applicable terms of this Policy.
- (e) **Marfa Courthouse Historical Preservation.** The County Courthouse building in Marfa will be maintained in a manner that preserves its historic designation with policy details described in ATTACHMENT 2 of this policy.

5. **Policy Change.** This Policy may be amended or repealed by a majority vote of the Commissioners Court.

ATTACHMENT 1

Presidio County Facilities Zones

Zone 1: North County Buildings Acting Facilities Manager: **Jim White** **Dept. 119**

<u>Facility Description and Use</u>	<u>Department Manager</u>
Dedicated Use: County Jail	County Sheriff
Dedicated Use: Marfa Police Station	County Sheriff
Marfa Courthouse	
Dedicated Use:	
County Attorney's Office	County Attorney
County Clerk's Office	County/District Clerk
District Clerk's Office	County/District Clerk
DPS Office	DPS Sgt.
Justice of the Peace, Pct.1	JP1
Juvenile Probation	County Judge
Tax Office	Tax Assessor/Collector
Tax Research Office	Tax Assessor/Collector
Treasurer's Office	County Treasurer
Utility Buildings	Facilities Mgr.
Shared Use:	
Common Areas	Facilities Mgr.
County Judge and Commissioners Court Office	County Judge
Extension Service and Veteran's Office	County Judge
Main Court Rooms	County/District Clerk
Old Jail Building	
Dedicated Use:	
Adult Probation	County Judge
DPS Office	DPS Sgt.
First Floor Records	County/District Clerk
Parks and Wildlife	County Judge
Utility Sheds	Facilities Mgr.
Utility Yard	County Sheriff
Shared Use:	
Common Areas	Facilities Mgr.
Second Floor	Facilities Mgr.

Zone 2: North County Parks Acting Facilities Manager: **Frank “Buddy” Knight** **Fund. 025**

<u>Facility Description and Use</u>	<u>Department Manager</u>
Dedicated Use: E. Show Barn	Highland Hereford Assoc.
Public Use: Golf Course	Facilities Mgr.
Public Use: Roping Arena	Facilities Mgr.
Public Use: Vizcaino Park	Facilities Mgr.
Public Use: W. Show Barn	Facilities Mgr.
Shared Use: Stock Pens	Facilities Mgr.

Zone 3: South County Buildings Acting Facilities Manager: **Lorenzo Hernandez** **Dept. 121**

<u>Facility Description and Use</u>	<u>Department Manager</u>
Dedicated Use: Garage at the Annex	Presidio Food Basket
Presidio Annex	
Dedicated Use:	
Capital Projects Office	Capital Projects Mgr.
Justice of the Peace, Pct.2	JP2
Presidio County Appraisal District	County Judge
Sheriff’s Office	County Sheriff
Tax Office	Tax Assessor/Collector
Shared Use:	
Annex Courtroom	JP2
Common Areas	Facilities Mgr.
County Attorney’s Office	County Attorney
County Judge and Commissioners Court Office	County Judge

Zone 4: South County Parks Acting Facilities Manager: **Eloy Aranda** **Fund. 026**

<u>Facility Description and Use</u>	<u>Department Manager</u>
Public Use: Redford School	Facilities Mgr.

ATTACHMENT 2

Marfa Courthouse Historical Preservation

The County Courthouse building in Marfa will be maintained in a manner that preserves its historic designation in compliance with the Texas Historical Commission.

(i) **Courthouse Exterior.**

- a. Use of electrical outlets are prohibited unless specifically authorized by the Commissioners Court.
- b. No displays or exhibitions are to be set into the grass area surrounding the Courthouse.
- c. No fasteners, staking or drilling on any concrete area, trees or plantings.
- d. No permanent type markings on concrete, steps, landings, ramps or portico.
- e. Hanging of banners or signs from county courthouse is prohibited unless approved by the Commissioners Court and installed by courthouse maintenance personnel.
- f. Entrances and sidewalks shall not be obstructed.
- g. No political signs or advertisements will be displayed on historically restored areas.

(ii) **No Interference of County Business.** Event sponsors should keep in mind that the County Courthouse and grounds are public and are used to conduct public business. Therefore, no event may:

- a. interfere with the regular use of the County Courthouse, Grounds or Site for transaction of County business;
- b. obstruct entrances or interrupt traffic flow through the building, grounds or site; or,
- c. obstruct the view of or access to firefighting equipment, fire alarm pull stations, fire hydrants or ADA accessibility to the grounds site or Courthouse entries;

(iii) **Office and Directional Signs.** All signage, directories, room designations and directional signs shall be discreet and consistent with the restoration design and style. Temporary signage may be free standing only. Additions, changes or modifications to existing signage shall be approved through the Commissioners

Court to insure consistency with historical design and style.

- (iv) **Attachments.** Pictures, displays, chair rails, picture rails, utensils or any other item which affixes, either temporary or permanent, to any courthouse structure shall be installed only with the approval of the Commissioners Court, County Judge or courthouse maintenance personnel who have been instructed in Texas Historical Commission Guidelines.

All temporary methods of attachment shall be removed in a manner causing no damage and leaving no residual fixture or material on the courthouse structure.

- (v) **Windows.** Additions, either structurally or cosmetically to windows shall be approved only by Commissioners Court and written approval of Texas Historical Commission.

Consideration should be given to courthouse historic window roll down/up shades to present a uniform appearance when viewed from the outside street level.

- (vi) **Signage and Notices.** Posting of legal notices shall be in an area designated by Commissioners Court and shall be monitored on a regular basis to remove clutter and outdated notices.

Personal notices, community event(s) announcements, funeral announcements, etc. will not be displayed except in areas designated by the Commissioners Court.

- (vii) **Plants.** Plants shall have sufficient drainage trays placed underneath to prevent water damage to floor surfaces, window sills and plates.

Plant tendrils or branches shall not be caused to allow attachment, either naturally or artificially, to any courthouse structure.

- (viii) **Floors and Walls.** To protect floors and extend the carpet and floor life, protective mats shall be under the rolling chairs in each office.

Care shall be given when moving furniture and benches in hallways and offices of restored historic buildings to prevent scarring.

Bumpers or other protective methods should be attached to chairs or other furniture which repeatedly contacts wall to prevent gouging and marking.

- (ix) **Storage.** The Commissioners Court recognizes the importance, both legally and as good stewards, of the need for proper county records management and storage. Records storage shall be designated by Commissioners Court and proper location assignments made.

Office decorations, seasonal decorations, surplus equipment, salvage equipment and various miscellaneous items should not be placed into records storage areas.

Common areas (those areas not inclusive of what is considered office space) shall not be repositories of records. Common areas are managed by courthouse maintenance staff and are not available for storage outside of the use for maintenance purposes.

- (x) **Main Courtrooms.** District Court shall have first scheduling preference over use of the Main Courtrooms including the Main Courtroom, Judge's Chamber, Conference Room, and Jury Room. County Court shall have second scheduling preference, followed by Justice of the Peace Court Precinct 1. The County/District Clerk shall be the primary contact point for scheduling of the Main Courtrooms. While the Main Courtrooms may be scheduled for use by non-county functions, the county reserves the right to cancel any non-county functions when use of the courtroom for official business is necessary or when meetings do not conform to county policy.

- (xi) **Other Meeting Rooms.** The FM assigned maintenance responsibility for the Marfa Courthouse shall have the overall responsibility for reservations, interior/exterior locations and meeting room use in those common areas other than the Main Courtroom.

- (xii) **Public Use Request.** Groups or individuals who desire authorization to use the courthouse or grounds shall complete a Marfa Courthouse Public Use Request form and request Commissioners Court approval (Sample form attached).

- a. **Deposit.** Any group(s) or individual(s) who are approved to use the property may be required, at the sole discretion of the Commissioner's Court, to give a deposit ranging from \$0-1,000 prior to use, and shall be charged for actual

damages and/or clean-up costs associated with the use. The Commissioner's Court may impose additional restrictions and regulations for approved use on a case by case basis, with the primary focus of maintaining and protecting the historical structure.

- b. **Agreement to Policy.** Any group(s) or individual(s) who are approved by Commissioners Court for use of the property must agree to and will be provided a copy of this Policy.
- c. **Common Areas** are defined as hallways, elevator, bath rooms, 4th floor, cupola, and lawn.
- d. **Year-long or regularly scheduled meetings** will not be booked for non-county functions as such scheduling restricts the county's ability in planning and scheduling it's official duties.
- e. **Limited Attendance.** Attendance at any meeting shall be limited by fire and safety regulation.
- f. **No smoking** inside courthouse proper.
- g. **Equipment Approval.** Electrical equipment, sound equipment, chairs, podiums, tents, stages or other equipment required for the event, including plans for the supply and use of electricity during the event, must be inspected and approved by the FM, but furnished and installed by the requesting party. Items not approved by FM may not be used
- h. **Setup Change Request.** Any requested change in the setup of the reserved room shall be included in the application prior to the event.
- i. It is the responsibility of all requesting parties to obtain necessary permission from the City of Marfa and TxDOT to block off any streets for their grounds and site usage.
- j. The usage of portable restrooms is the sole responsibility of the requesting party. Staging for these portable restrooms will only be allowed at the street side of the curb. It is the responsibility of the requesting parties to ensure

that all portable restrooms are kept clean and sanitized.

- k. Probing or excavation, including the use of metal detectors, on the Grounds and Site is prohibited at all times.
- l. Neither the County nor its officials, employees or agents are liable for any injury which may occur to any person during any event on the Courthouse Grounds or Site. To ensure this purpose is served, any person requesting to conduct an event on the Courthouse Grounds may be required to execute an indemnity agreement holding the County harmless from any claims arising from the requested event and agreeing to defend and indemnify the County with respect to any such claim.
- m. Security requirements are the responsibility of the organizers, and must be approved by the County Sheriff Department prior to the event.
- n. The organizers will be fully responsible for any damage to County property, or for any personal injury, caused by the described activity, or occurring as the proximate result of the activity. To ensure this purpose is served, any person requesting to conduct an event on the Courthouse Grounds may be required to obtain, and provide a copy or proof of casualty and liability insurance naming the County as a beneficiary in an amount to be determined by the County Commissioners Court based on the anticipated event, its projected attendance and the risks associated with the event, as well as foreseeable damage it might cause to the Courthouse Grounds or the Courthouse.
- o. Upon completion of the event, organizers will be held responsible for the clean-up of the entire Grounds / Site. Any deposit will be refunded following inspection of the area to determine that the area has been adequately cleaned. The organizer(s) may be present at this inspection by contacting the office of FM.

Marfa Courthouse Public Use Request

Instructions: Please complete the entire application. Incomplete applications may not be considered. If you have any questions, please contact the Marfa Courthouse Facilities Manager at (432) 729-4452 or visit the Office of the County Judge and Commissioners Court.

1. Event Name _____

2. Description of Presidio County Courthouse public space requested:

Interior Building space (please describe): _____

Presidio County Courthouse Grounds / Site requested (circle appropriate option(s)) :

(South, Southwest, West, Northwest, North, Northeast, East, Southeast, or Entire) Grounds

3. Date and Time requested _____

4. Sponsoring Organization _____

5. Contact Name: Print _____

6. Address _____

7. Phone Number _____ Fax Number _____

8. Purpose of event. Attach additional page if necessary.

10. Description of event. Attach additional page if necessary. A diagram showing requested area with details of the event, including propos, is also required for approval.

11. Description of any large banners, signs, etc. (Nothing may be attached to any structure on the grounds,site, the fence or adjacent buildings.) Are handouts included? (Circle one) Yes No

12. Time schedule for the program. Please be specific and provide copy or draft of program.

Set Up Time: _____ Start Time: _____ End Time: _____) _____ ted on the Courthouse Grounds / Site.

13. Please list all additional equipment, including electrical power requirements, provided by the event holder to be used during the event. The Presidio County Facilities Maintenance Department will inspect all power equipment, extension cords, etc. for usage. Note: Presidio County has the right to refuse or not allow any unsafe operations of equipment, power cords, etc. at any time.

15. Number of persons expected to attend: _____ participants: _____

Other: _____

16. Is the event requested for more than one business day and if so please provide the following information:

a. List of each event, start and end time, calendar day of event:

Monday: _____

Tuesday: _____

Wednesday: _____

Thursday: _____

Friday: _____

Saturday: _____

Sunday: _____

NOTE: If requesting organizer is requesting multiple days of events please provide additional information and attach to this form.

Fed ID # _____

AFFIDAVIT

I have read the Presidio County Facilities Management Policy and agree to comply with this policy. I understand that all events are subject to cancellation. I understand that I am responsible for any damages to the Courthouse, adjacent structures, furnishings, lighting, grounds and site as a result of my event.

Authorized signature of representative for event Date

\$ _____

Deposit (Presidio County will determine the amount when application is presented for consideration)