

MEGABYTE SYSTEMS, INC

Clerk of the Board/Assessment Appeals 2

This Clerk of the Board/Assessment Appeals Licensing Agreement is by and between the County of Napa hereinafter referred to as the "County" and Megabyte Systems, Inc. hereinafter referred to as "Contractor". This Agreement is considered to be an addendum to contract Megabyte Property Tax Systems MPTS Maintenance dated July 1, 2016, in effect between County and Contractor, as amended by the parties on July 9, 2019.

Grant of License. Contractor hereby grants to County a personal, non-transferable, and non-exclusive license to use the MPTS Clerk of the Board/Assessment Appeals module.

The License granted to the County is expressly limited to the executable form of the Software only. The program code and programming language in which Contractor writes the Software (the "Source Code"), as well as any relevant documentation, including the Source Code, and instructions to maintain, duplicate, and compile to Source Code (the "Source Materials"), remain the exclusive property of Contractor.

Upon termination of this agreement for any reason title to, ownership of, and all applicable patents, copyrights and trade secrets in the MPTS Clerk of the Board/Assessment Appeals module, shall remain with the contractor as owner/holder of such patents, copyrights, and trade secrets, who shall retain complete rights to market such product, and no such rights shall pass to County.

Term. The license granted shall commence upon the date of installation of the software and shall remain in force for as long as the annual maintenance fee is paid to Contractor by County.

System Features. The following features will be available with the Clerk of the Board/Assessment Appeals Module.

Hearing Processing

- Appeals Board Definition.
- Hearing Scheduling and Confirmation requests.
- Enter Hearing Results.
- Creates Appeals Board Agenda.
- Creates Appeals Board Minutes.

Reporting

- ❖ Notices.
- ❖ Agenda.
- ❖ Hearing Minutes.
- ❖ Export Available.

System Features

- ❖ Assign notes for event tracking.
- ❖ Assign Applications to “Groups” for processing.

Status Tracking

The following status events are tracked in the Assessment Appeals Process. Custom events can also be added to handle work-flow events by the Clerk of the Board and Assessor’s offices.

Filing an Appeal

- ❖ Submitted (Submitted via the web but not accepted by the COB).
- ❖ Returned (Submitted but returned for corrections).
- ❖ Paid (An appeal fee has been paid).
- ❖ Appeal (An appeal has been “Returned” but applicant wants hearing with Appeal Board).
- ❖ Filed (Appeal accepted by the COB as being filed).

Withdrawn

- ❖ Withdraw (Applicant requested).
- ❖ Withdraw-Apr (Appraiser/Assessor approved withdrawal request).

Stipulation

- ❖ Stipulation (Agreed upon with applicant).
- ❖ Stipulation-ASR (Agreed upon by Assessor).
- ❖ Stipulation- CC (Agreed/reviewed by County Counsel).

Hearing Scheduling

- ❖ Hearing (A hearing has been scheduled).
- ❖ Confirmation (A hearing has been confirmed by the applicant).
- ❖ Waiver (The applicant has signed/agreed to a 2-year waiver).
- ❖ Postponement (The hearing date has been postponed).

Appeals Board

- ❖ Sustained (Assessor’s value has been sustained).
- ❖ Increased (The Roll value has been increased).
- ❖ Decreased (The Roll value has been reduced).
- ❖ No-show (The applicant did not appear at hearing).
- ❖ Continuance (The board continued the hearing to another date).
- ❖ Reconsideration (The applicant requests reconsideration of a board ruling).

Price. The annual licensing and support fee for FY-2023/24 is \$17,815. Licensing and support fees will begin on July 1st, 2024, and shall be subject to annual increases starting on July 1st 2024 in accordance with the consumer price index for the San Francisco-

Oakland- San Jose area. This reading is to be taken from the figures released for the year ending month of the June of the previous fiscal year (July to June). In FY 23/24, the total maximum compensation paid by County to Contractor under the agreement and its amendments shall not exceed \$399,085.58. The not-to-exceed amount for FY 24/25 shall be \$416,900.58 plus any allowable annual increases.

Termination. This agreement may be terminated by County or Contractor with 60 days written notice. This agreement may be terminated without affecting the MPTS Property Tax System Maintenance agreement. If the right of termination is exercised, the annual charge shall be prorated and any unused portion returned to the County.

Data Conversion. Data Conversion is not covered under this agreement, this service is available upon request at Contractors current time and materials rate.

All other terms and conditions set forth in contract Megabyte Property Tax System MPTS Annual Maintenance dated July 1st, 2016 and the parties' July 9, 2019 amendment to the agreement shall be effective.

County of Napa.
a political subdivision of the State of California

Megabyte Systems, Inc.

N. Ramos

By: Belia Ramos, Chair
Board of Supervisors

By: Nicholas M Betts, President

Dated: _____

Dated: 09.07.23

APPROVED AS TO FORM Office of County Counsel By: <u>Ryan FitzGerald (e-sign)</u> County Counsel Date: <u>August 29, 2023</u> PL No. 99440	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By: _____
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