



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: 23-365**

**May 16, 2023**

**Introduced:** 5/2/2023

**Current Status:** Criminal Justice - Consent

**Version:** 1

**Matter Type:** General Agenda Item

- a. Authorize the County Counsel to execute an Agreement for Specialized Attorney Services (“Agreement”) with the Law Offices of Kelly Wachs, P.C., for independent consulting and legal services with respect to employment-based immigration law matters for the Monterey County District Attorney’s Office, for a term April 1, 2023, through June 30, 2024, and for a total agreement amount not to exceed \$7,000; and
- b. Accept the recommendation of the District Attorney to approve the non-standard automobile insurance provisions in the Agreement; and
- c. Authorize the County Counsel to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$700) of the agreement amount and do not significantly change the scope of work.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Authorize the County Counsel to execute an Agreement for Specialized Attorney Services (“Agreement”) with the Law Offices of Kelly Wachs, P.C., for independent consulting and legal services with respect to employment-based immigration law matters for the Monterey County District Attorney’s Office, for a term April 1, 2023, through June 30, 2024, and for a total agreement amount not to exceed \$7,000; and
- b. Accept the recommendation of the District Attorney to approve the non-standard automobile insurance provisions in the Agreement; and
- c. Authorize the County Counsel to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$700) of the agreement amount and do not significantly change the scope of work.

**SUMMARY/DISCUSSION:**

The Law Office of Kelly S. Wachs, P.C, assists the County of Monterey in navigating the complex immigration process related to employment. Located in Aptos, California, the law firm provides County departments with services related to obtaining temporary work visas or visas for permanent residence in the United States for their employees. The District Attorney’s Office seeks the law firm’s assistance with H-1B visas.

This work supports one of the District Attorney’s 2023-2026 Strategic Plan Goal to promote justice, ensure that the rights of victims are upheld by treating them with dignity, respect, and compassion, and aggressively and fairly prosecuting those who violate the law.

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OTHER AGENCY INVOLVEMENT:

The office of the County Counsel has reviewed and approved this Agreement as to legal form. Auditor-Controller has reviewed and approved as to fiscal provisions.

FINANCING:

Sufficient funds are available in the FY 2022-23 Adopted Budget and FY 2023-24 Proposed Budget for the District Attorney’s Office, Unit 8063. There is no financial impact to the General Fund resulting from approval of this Agreement.

The County of Monterey already has contracts with Law Office of Kelly S. Wachs, P.C, on behalf of several departments, such as Information Technology, Natividad Medical Center, and Health, with a total aggregate liability of \$185,000 across all Departments. Accordingly, Board approval for this agreement is required.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

DocuSigned by:

*Nichole Reed*

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Prepared by: Nichole Reed, Administrative Assistant to the District Attorney, Ext. 5470

DocuSigned by:

*Jeannine M. Pacioni*

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Approved by: Jeannine M. Pacioni, District Attorney, Ext. 5470

Attachments:

- Agreement with Law Firm of Kelly Wachs
- Liability Policy
- Workers Comp Insurance