



## SUMMARY REPORT

---

**Agenda Date:** 7/22/2025

---

**To:** Sonoma County Board of Supervisors, Board of Directors of the Sonoma County Water Agency, Board of Commissioners of the Community Development Commission, and Board of Directors of the Sonoma County Agricultural Preservation and Open Space District

**Department or Agency Name(s):** Human Resources Department; County Counsel's Office

**Staff Name and Phone Number:** Janell Crane, 707-565-2885; Jennifer Dino, 707-565-2107; Joshua Myers, 707-565-3737

**Vote Requirement:** 4/5th

**Supervisory District(s):** Countywide

**Title:**

Workplace Investigation Services Agreement Amendment with Van Dermyden Makus Law Corporation

**Recommended Action:**

Authorize County Counsel and the Director of Human Resources to execute a Second Amendment to the existing Workplace Investigation Service Agreement with Van Dermyden Makus Law Corporation, for an additional \$315,000 fee service contract for employee-related investigative services: Equal Employment Opportunity (EEO), discipline, and liability, effective October 1, 2024 to September 30, 2025. (4/5<sup>th</sup> Vote Required)

**Executive Summary:**

The Department of Fair Employment and Housing (State) and Equal Employment Opportunity Commission (Federal) require employers to conduct timely and thorough workplace investigations on situations involving potential discrimination, harassment, retaliation, and misconduct. Although the County Equal Employment Opportunity (EEO) Unit of the Human Resources Department typically conducts investigations internally with qualified staff, there are often circumstances that warrant the use of an external investigator to complete investigations. The County has had master agreements with a pool of qualified investigation firms for many years, including Van Dermyden Makus Law Corporation. The services required consist of performing internal

investigations and related work that may cover a broad range of issues, including but not limited to EEO, discipline, and liability.

This item seeks Board approval to authorize County Counsel and the Director of Human Resources to execute a second amendment to the existing agreement with Van Dermiden Makus Law Corporation awarded through Investigative Services Request of Proposal (RFP) 2022, for an additional \$315,000 fee service contract effective October 1, 2024 to September 30, 2025 for employment-related Investigative services.

**Discussion:**

Employers are responsible for promptly and appropriately investigating matters that come up in the workplace, and in order for employers to take any legally defensible, corrective action in response to workplace conduct, the investigation and report are essential to support any action taken. The County has had a longstanding practice of having master agreements with external investigation firms to ensure the County quickly responds to workplace matters that may require an external investigator.

The Equal Employment Opportunity (EEO) Unit of the Human Resources Department is responsible for providing consultation and support to County departments and agencies on employment-related matters. Typically, these consultations are in the areas of equal employment opportunity (harassment, discrimination, retaliation), hostile work environment, hiring and promotion practices, but could also include other areas affecting the employment relationship or which may place the County at risk. In some cases, presenting circumstances require the need to conduct an investigation.

The current Agreement awarded to Van Dermiden Makus Law Corporation after a Request for Proposals (RFP) that was issued on September 27, 2022, was for contract periods October 1, 2022 through September 30, 2025, for \$375,000 per contract year per agreement, with two, one-year options to renew for total contract periods not to exceed five years.

Since September 2022, Van Dermiden Makus Law Corporation's services to the County have met all the standards as agreed upon. The County Counsel and the EEO Unit retained Van Dermiden Makus Law Corporation to investigate complex complaints, often involving multiple subjects and several allegations of possible misconduct in violation of the County's EEO Policy and the Civil Service Rules.

To date, the September 2022, Van Dermiden Makus Law Corporation contract has been amended once but

not yet for the purpose of adding funding to the \$375,000 per contract year per agreement. This second amendment, which requests an additional \$315,000 from contract year October 1, 2024 to September 30, 2025, ensures the County continues to contract Van Dermyden Makus Law Corporation to conduct timely and thorough investigations and to ensure the County receives services at the most competitive rates.

**Strategic Plan:**

N/A

**Racial Equity:****Was this item identified as an opportunity to apply the Racial Equity Toolkit?**

No

**Prior Board Actions:**

09/12/2017 (Item 1) - Approved agreements with nine (9) selected investigative firms, including Van Dermyden Makus Law Corporation.

09/27/2022 (item 6; File ID number 2022-0904) - Approved agreement amendments with six (6) selected investigative firms, including Van Dermyden Makus Law Corporation.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY24-25 Adopted</b>	<b>FY25-26 Adopted</b>	<b>FY26-27 Projected</b>
Budgeted Expenses	\$236,250	\$78,750	
Additional Appropriation Requested			
<b>Total Expenditures</b>	\$236,250	\$78,750	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other	\$236,250	\$78,750	
Use of Fund Balance			
General Fund Contingencies			
<b>Total Sources</b>	\$236,250	\$78,750	

**Narrative Explanation of Fiscal Impacts:**

Cost for services requested by the Human Resources Department Equal Employment Opportunity Unit is funded through the General Liability Internal Services Fund from departments. Separately, should departments request to utilize

---

**Agenda Date:** 7/22/2025

---

investigative services, the costs will be absorbed directly from their respective operational budgets.□

**Staffing Impacts:**

<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>
N/A			

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Workplace Investigation Service Agreement Amendment

**Related Items “On File” with the Clerk of the Board:**

N/A