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Investigate themselves? Bellevue council halts conflict-of-interest vote

The Bellevue City Council was about to vote on the scope of an investigation into alleged conflicts of interest among its members Monday night when a seemingly obvious question was raised: Would it be proper for three of the seven members to vote on whether they should be investigated?

By Keith Ervin

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The Bellevue City Council was about to vote on the scope of an investigation into alleged conflicts of interest among its members Monday night when a seemingly obvious question was raised.

Would it be proper for three of the seven members to vote on whether they should be investigated?

The matter was tabled — but not immediately — after City Attorney Lori Riordan advised those members not to participate in a vote. By then, the seismic fault lines on the council seemed to have deepened further.

Mayor Don Davidson started the debate by suggesting the planned probe of Kevin Wallace be expanded to look into Councilmembers Grant Degginger and Claudia Balducci.

Last month, The Seattle Times reported that Wallace had quietly negotiated a business deal with a freight railroad that wants to use the same rail corridor he was urging Sound Transit to use for a part of its planned light-rail route through Bellevue.

Degginger, an attorney, has been accused of a conflict of interest for representing Sound Transit in the past and Balducci for serving as an appointee on the Sound Transit board of directors. Riordan has advised Degginger and Balducci that their relationships to Sound Transit don't preclude them from voting on rail alignments.

Davidson said that in going through city records he found a matter dating back to 2003, which he declined to elaborate on, that suggested Degginger might have a conflict.

"I think it would be healthy for this council, and I think it would be healthy for the community," Davidson said of an expanded investigation. "I think falling short of that would divide us deeper, and I'm trying not to do that."

Although Davidson said he wasn't asking the council to act immediately, several members made conflicting proposals: to focus only on Wallace's aborted deal with GNP Railway, to investigate three council members, or study all seven members.

Four of the seven members appeared to support an investigation of three members. But after Wallace proposed adding Degginger's and Balducci's names to the investigation to make it "fair and equitable," Riordan was asked whether those three members could vote.

"I do have a concern about having the council vote on this motion as a whole due to the fact that council members who would be specifically named would be voting on the question of whether or not they should be investigated," Riordan said.

Referring to a 1913 case on conflict of interest, Riordan said the courts have held "that no man should judge his own case."

After Davidson said Degginger may have had a conflict from years back, Degginger said that "sounds like an ambush to me." He later said Davidson's "McCarthy-style" comments about him seemed to be referring to his previously disclosed representation of Sound Transit in Tacoma from 2002 to 2004.

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