

To: Stephen Buoniconti, City Solicitor

From: Law Department, Legal Services Division

Date: February 5, 2026

RE: Memorandum – Conflict of Interest Concerns for City Councilor

CONFIDENTIAL ATTORNEY WORK PRODUCT

This memorandum has been written to provide guidance to the City Solicitor as to matters that have arisen involving a City Councilor and multiple potential conflicts of interest under Massachusetts General Laws Ch. 268A and the City Charter. Specifically, City Council President Tracye Whitfield (“TW”) is a named officer (1 of 4) in a for-profit limited liability company, JETS Property Development, LLC (“LLC”), and has engaged in activities on the LLC’s behalf which constitute a conflict of interest under the law. In Summary, TW’s appearance before the City Planning Board on August 21, 2024 and on September 4, 2024, as an agent for the LLC constitutes a violation of M.G.L. c. 268A § 17(c). Further, TW’s participation as a City Councilor in a Street Discontinuance requested by the LLC at a Council meeting on February 2, 2026, is a violation of M.G.L. c. 268A §§ 19 & 23(b)(3).

It should be noted that this memorandum is not an advisory opinion under M.G.L. c. 268A or 930 CMR 1.03, but rather is intended for guidance purposes.

Background Facts

TW is a listed manager and officer of the LLC, and has been since its incorporation in July of 2021. She is also listed as the resident agent of the company. Jelani Bland (“JB”) is also one of the four officers of the LLC, and is TW’s son.

Zone Change Petition

On August 21, 2024, TW appeared in front of the City’s Planning Board in furtherance of a petition for a Zone Change, filed by the LLC, for the property known as South Side Wisteria Street (“Property”). At that meeting, TW identified herself as a representative of the LLC, and she was the sole presenter for the petition.

During the August 2024 meeting, TW gave information about a planned residential development project for the Property, which necessitated the Zone Change, and answered questions from the Board members as the agent of the LLC. Near the end of the proceeding, she revealed that she was a City Councilor after being asked directly by one of the Board

members, and stated that she would recuse herself when the matter was brought before the Council. The Zone Change petition was tabled until the next meeting to address the concerns of surrounding residents relative to the developed Property being owner occupied.

TW again appeared before the Planning Board on September 4, 2024, as an agent of the LLC in furtherance of the Zone Change petition, and was accompanied by JB. During that meeting, TW again presented information to the Board and answered questions on behalf of the LLC. The Planning Board voted to approve the LLC's Zone Change petition and referred the matter to the City Council, who took up the matter and approved it on September 24, 2024. TW recused herself at the commencement of the Council hearing the item; she did not participate or vote on the item. The result of the Zone Change (from Residence A to Residence B) was that a duplex could be constructed at the Property, increasing the profitability of the development and value of the Property.

Wallace Street Discontinuance Request

On or about July 15, 2025, the LLC¹ petitioned the Board of Public Works (through Department of Public Works Director Christopher Cignoli) for the discontinuance of a small section of Wallace Street ("Parcel") that was originally intended to be a public way connecting a large residential development to the south of the Parcel, but decades later ended up designated as an unfinished and undeveloped 'paper street' ("Parcel"). The Property, owned by the LLC, abuts the Parcel to the west, and the result of a discontinuance would be that the LLC would be given title to half of the Parcel without paying compensation for the acquisition of land². It should be noted that within the LLC's request, JB stated that the discontinuance was the "first step in our efforts to acquire the adjacent lot to support our development plans." This statement is consistent with TW's statement to the Planning Board on August 21, 2024, wherein she discussed plans to acquire the abutting owner's half of the Parcel so that it could be developed by LLC. The new Parcel to be created from the discontinuance would have buildable dimensions and could be developed for residential use if taken as a whole.

On January 6, 2026 the Board of Public Works ("BPW") posted a Notice of Meeting to be held on January 20, 2026, at 23 Wisteria Street. The sole matter on the agenda was "To discontinue a section of Wallace Street. Said section is approximately 6000 square feet, from Wisteria Street a distance of one hundred (100) lineal feet in a southerly direction." At the January 20 hearing, the members of the Board appeared, along with JB, TW, a DPW staff member, and a resident of the neighborhood. TW spoke at the meeting to answer a question asked by the

¹ The request was made by JB on behalf of the LLC

² The other half of the Parcel would be given to the abutting property owner to the east, currently listed as Richard Connell.

resident. No objections to the request were offered, and the BPW voted in favor of the discontinuation and advanced the matter to the City Council for a final determination by that body.

The City Council took up the LLC's request for discontinuance at its regular meeting on February 2, 2026. At the time that the item was called, JB presented the request on behalf of the LLC, and Hector Velez provided information to the Council on behalf of the BPW. TW did not recuse herself during the presentation or discussion, and remained in her role as City Councilor and President of the body while JB and Mr. Velez spoke and while Councilors Santaniello (twice), Govan (twice), Davila, Delgado, and Brown all asked various questions and made statements about the request. TW presided over the discussion and at one-point corrected Councilor Davila's repeated misidentification of JB.

After 12 minutes of presentation, discussion and deliberation as to the LLC's discontinuance request and with TW still presiding over the meeting as President of the Council, Councilor Fenton made a statement about being uncomfortable and asked TW if she intended to recuse herself from the matter. TW responded in the affirmative ("Absolutely") and Councilor Fenton followed up with a question about when the recusal would be taking place. TW made statements expressing that she did not know when she was supposed to recuse herself, that it was a learning experience, and that she should have been told to recuse herself sooner, as she felt like she was part of the discussion. TW called up Vice President Delgado to take over as presiding member of the body for the remainder of the hearing of the discontinuance request and explained that she was stepping down. TW subsequently left the Council chambers and did not vote on the matter, which passed via 10-2 vote. It should be noted that at no time did TW actually state that she was recusing herself from the matter.

In 2024 and 2025, TW engaged in multiple email correspondences with members of the Department of Public Works (mainly Christopher Cignoli and Hector Velez) and Zoning Department on behalf of the LLC concerning the Property, the Zone Change, the Request for Discontinuance.

Legal Analysis & Discussion

I. City Councilor Status

Members of the City of Springfield City Council are elected officials and classified as municipal employees, defined under the statute as "a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis, but excluding (1) elected members of a town meeting and (2) members of a charter commission established under Article LXXXIX of the Amendments to the Constitution." M.G.L. c. 268A § 1(g). City Councilors

are thus subject to the conflict of interest requirements of Chapter 268A applicable to municipal employees, unless expressly exempted within the statute.

II. Discussion of Applicable Law

a. M.G.L. c. 268A § 17(c)

Chapter 268A § 17(c) states that:

“(c) No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the same city or town, or as agent or attorney for anyone in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest.”

Section 17(c) prohibits TW, as municipal employee, from acting as an agent for the LLC in connection with any particular matter in which the City of Springfield is a party or has a direct and substantial interest. In the instant matter, the LLC filed a Petition for a Zone Change for the Property as well as a Request for Discontinuance for the Parcel; TW’s participation/involvement in both matters raises serious concerns about her compliance with § 17(c).

Zone Change

In furtherance of the LLC’s financial interests, TW appeared as the LLC’s representative before the Planning Board on two separate occasions in the summer of 2024, advocating for a Zone Change that would directly benefit the LLC, and as a result her and JB. She did not appear before the Board as part of the discharge of her official duties as a City Councilor, but rather as a member of the LLC on its behalf.

As discussed, the Zone Change in question allowed the Property to be developed as a duplex, where the prior zoning only allowed the construction of a single-family home, thus increasing the profitability of developing the site and its overall value. This is a clear benefit to the LLC, TW and JB. The City of Springfield has a direct and substantial interest in municipal zoning, including Zone Changes. As such, TW violated § 17(c) when she acted as an agent for the LLC, and participated in two Planning Board meetings in 2024 for the purpose of obtaining a Zone Change for the Property³.

³ As noted in the Background section of this memorandum, TW also engaged in multiple email correspondences with DPW Director Christopher Cignoli in furtherance of the LLC’s development of the Property and the Request for Discontinuance. The correspondences from 2024 and 2025 also appear to constitute a violation of § 17(c),

Discontinuance

TW appeared before the BPW on the LLC's Request for Discontinuance on January 20, 2026, and participated in the meeting as a representative of LLC, answering a neighborhood resident's question on behalf of the LLC. TW's actions during the BPW meeting constitute a violation of §17(c), as the discontinuance of a street is a direct and substantial interest of the City and the LLC would directly benefit by obtaining a significant amount of land from the City without paying any compensation.

b. M.G.L. c. 268A §19

Chapter 268A § 19 states that:

“(a) Except as permitted by paragraph (b), a municipal employee who participates as such an employee in a particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than \$10,000, or by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction for not more than 2 ½ years, or both.

(b) It shall not be a violation of this section (1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, in the case of an elected municipal official making demand bank deposits of municipal funds, said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) if the particular matter involves a determination of general policy and the interest of the municipal employee or members of his immediate family is shared with a substantial segment of the population of the municipality.”

where TW was acting as agent for the LLC on a matter that the City has a direct and substantial interest, which would directly benefit her and her son financially. Due to the volume of the correspondences in question, this memorandum is not able address each one individually. Further examination of the emails in question should be performed to ascertain whether any additional legal issues are present.

As discussed above, by virtue of her position as a City Councilor, TW is classified as a municipal employee under the definition provided by M.G.L. Ch. 268A, §1. TW and her immediate family members have a direct financial interest in the LLC.

Zone Change

TW's actions in front of the Planning Board in 2024 very likely constitute a violation of §19, as she appeared before a body of the City and participated in the meeting on behalf of the LLC, while also informing the Board that she was a City Councilor. As such, it could be said that TW was acting both as an agent for the LLC and in her capacity as a City Councilor when she twice appeared before the Board in furtherance of the Zone Change which provided a direct financial benefit to the LLC (and TW). Such participation is not allowed under §19.

Discontinuance

TW's participation as a City Councilor in the LLC's Request for Discontinuance during the Council meeting on February 2, 2026 is a violation of §19, which prohibits participation by a person as a municipal employee in any particular matters where said employee has a financial interest⁴.

It has been established through records obtained from the Massachusetts Secretary of State that TW is an officer of the LLC, and as such, she has a clear financial interest in real estate acquisitions and/or developments involving that company. The LLC is a Limited Liability Company registered at TW's home address.⁵ As a member of the LLC, TW's financial interest in the company is material and direct. The LLC's request to discontinue a section of Wallace Street would result in the LLC acquiring additional real property at no cost, which is a tangible and direct financial impact for the company and by extension, TW.

Further, TW was aware that she had a financial interest in the LLC when she contacted the City's Department of Public Works on multiple occasions in 2024 and 2025 to discuss the Zone Change and the Discontinuance on behalf of the LLC. Because the LLC has a direct financial interest in the Zone Change and the Discontinuance, TW's actions in helping to arrange, attending and participating in meetings between the City and LLC on those subject matters also appears to be a violation of §19.

⁴ The financial interest can also be for an immediate family member or partner or a business organization in which the employee is serving as an officer, director, trustee, partner or employee.

⁵ [Commonwealth of Massachusetts Business Entity Summary](#)

c. M.G.L. c. 268A § 23(b)(3)

Chapter 268A § 23(b)(3):

“Prohibits a municipal employee from acting in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his or her favor in the performance of his official duties, or that he or she is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person.”

Section 23(b)(3) prohibits conduct that creates an appearance of a conflict of interest, even if no conflict exists. It is important to note that this provision is intended to eliminate the appearance of any conflict of interest by municipal employees, and that were any such appearance could be present, said employees should seek a determination from the State Ethics Commission before acting if they are unsure.

In the present case, not only did TW appear as representative for the LLC at the Planning Board and the BPW, she also presided as City Council President over a matter that was brought forth by the LLC and presented by JB, which directly benefited TW and her son. TW participated in the Request for Discontinuance matter for over 12 minutes, never revealing that she was JB’s mother, and only exited the proceedings when another Councilor inquired about the conflict. TW never made the necessary statement of recusal and has not disclosed the financial interest she has in the matter or the interests of her immediate family members. Further, TW sent repeated emails to City staff members in furtherance of the LLC’s petitions in 2024 and 2025. All of these actions taken together could be reasonably seen as a violation of § 23(b)(3), where a member of the public would view TW’s actions as a conflict of interests and the result of kinship, rank, position or undue influence.

Conclusion and Remedies

As discussed above and after review of the available facts and applicable law, TW’s conduct to date shows violations of multiple provisions of M.G.L. c. 268A and § 27 of the City Charter.

Suggested Remedy:

The City Council’s vote to approve the LLC’s Request for Discontinuance should be rescinded, as TW’s participation in the meeting was improper and in violation of the conflict-of-interest statute, tainting the resulting vote. While a Motion for Reconsideration would not be appropriate under the circumstances (as that motion is required to be made at the meeting where the action to be reconsidered took place), under City Council Rule 38 and the Roberts

Rules of Order, any City Councilor who voted in the affirmative on the matter on February 2, 2026, can make a Motion to Rescind the prior action of the Council approving the Discontinuance. Once the Motion to Rescind is approved by the Council, the Discontinuance will have been undone and the matter can be placed back on the Council's agenda for a subsequent meeting. If notice of the Motion to Rescind is given to the Councilors in advance, then the vote is a simple majority; if the Motion to Rescind is made during a meeting, then the vote would require a supermajority.

Suggested Follow Up Actions:

It is important to note that the examination of the record in this matter has revealed other potential legal issues regarding TW's conduct, which should be further investigated and/or referred to the State Ethics Commission. Two additional areas of significant concern for potential conflicts of interest are TW's correspondences to the DPW and Zoning on behalf of the LLC in 2024 and 2025 (as briefly mentioned in this memorandum), and the LLC's purchasing of City-owned real property at auction. With this in mind, a Notice of Preservation of Records should forthwith be sent to all City Councilors and DPW staff members, so those parties are given formal notice to preserve all documents, text messages, and other records related to the subject matter of this memorandum.

Lastly, TW's conduct relative to the LLC, the Zone Change, and the Discontinuance, should be referred to the State Ethics Commission for that body to conduct an investigation and make a determination as to what violations, if any, have taken place, and what the appropriate next steps are for the City and TW.