

# RHODE ISLAND ETHICS COMMISSION

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## Advisory Opinion No. 2025-5

Approved: January 28, 2025

**Re: Nicole Renzulli**

### **QUESTION PRESENTED:**

The Petitioner, a former member of the Cranston City Council, a municipal elected position, requests an advisory opinion regarding whether she is prohibited by the Code of Ethics from accepting an appointment by the mayor of the City of Cranston to the Cranston Planning Commission, an unpaid position, within one year after leaving her position as a city council member.

### **RESPONSE:**

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, a former member of Cranston City Council, a municipal elected position, is not prohibited by the Code of Ethics from accepting an appointment by the mayor of the City of Cranston to the Cranston Planning Commission, an unpaid position, within one year after leaving her position as a city council member.

The Petitioner is a former member of the Cranston City Council. She states that she was elected to that position in November 2020 and served two consecutive terms from January 2021 to January 6, 2025. She represents that the mayor of the City of Cranston has offered her an appointment to the Cranston Planning Commission upon the expiration of the Petitioner's city council term. The Petitioner states that the appointment does not require the advice and consent of the city council and that, pursuant to the Cranston City Charter, the members of the planning commission receive no financial benefit or remuneration for their service.<sup>1</sup> The Petitioner would like to accept an appointment to the planning commission and seeks guidance from the Ethics Commission regarding whether she may do so within one year after leaving her position as a city council member.

Pursuant to Commission Regulation 520-RICR-00-00-1.5.4 Municipal Official Revolving Door (36-14-5014) (Regulation 1.5.4), municipal elected officials and school committee

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<sup>1</sup> The Petitioner notes that she is currently also the chairperson of the Cranston Parks and Recreation Commission, which is separate and distinct from the planning commission and the members of which also receive no financial benefit or remuneration for their service.

members are prohibited from seeking or accepting employment with any municipal agency in the same municipality, including service as an independent contractor or consultant, while holding office and for a period of one year after leaving municipal office. Notably, the Ethics Commission has determined that the receipt of compensation for services rendered is a necessary element in the application of Regulation 1.5.4. See A.O. 2013-11 (opining that an elected member of the Pascoag Fire District Board of Commissioners could not seek or accept a position as a volunteer firefighter in the same district while holding office as a commissioner, and for one year thereafter, because volunteer firefighters were paid for their services as independent contractors). However, the Ethics Commission has permitted a public official to accept an appointment that otherwise fell within the provisions of Regulation 1.5.4, provided that the appointment was to a volunteer position. See A.O. 2016-46 (opining that a member of Pawtucket City Council could accept appointment to the Pawtucket Water Supply Board, an unpaid position, within one year of the petitioner's official severance from his position as city councilor).

Here, the Petitioner states that the members of the planning commission are appointed by the mayor, without the advice and consent of the city council, and pursuant to the city charter, do not receive any financial benefit or remuneration for their service. Accordingly, it is the opinion of the Ethics Commission that the Code of Ethics does not prohibit the Petitioner from accepting an appointment to the Cranston planning commission within one year after leaving her position as city councilor.

**This Advisory Opinion is strictly limited to the facts stated herein and relates only to the application of the Rhode Island Code of Ethics. Under the Code of Ethics, advisory opinions are based on the representations made by, or on behalf of, a public official or employee and are not adversarial or investigative proceedings. Finally, this Commission offers no opinion on the effect that any other statute, regulation, ordinance, constitutional provision, charter provision, or canon of professional ethics may have on this situation.**

Code Citations:

520-RICR-00-00-1.5.4 Municipal Official Revolving Door (36-14-5014)

Related Advisory Opinions:

A.O. 2016-46

A.O. 2013-11

Keywords:

Revolving Door