A common sense prescription for the Menlo Park City Council

First, do no harm

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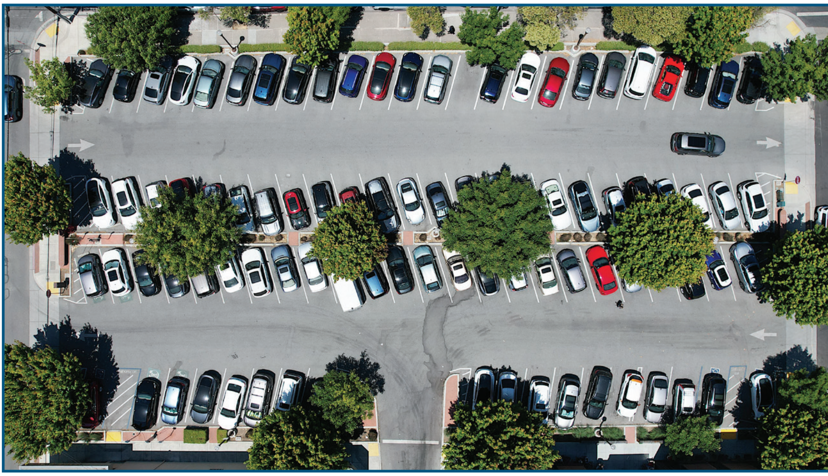
Commentary by Michael Giudicessi



Credits and sources

Developer web pages, as quoted in text, and linked materials.

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Chris Edwards, "*Problems With Low-Income Housing Tax Credi*ts," Cato Institute (May 7, 2025), available at https://www.cato.org/sites/cato.org/files/2025-05/edwards lihtc testimony 2025.pdf.

Paul De Zan, cover page and aerial parking plaza photographs taken on June 13, 2025.

Dana Hendrickson, "*Creating A More Vibrant Menlo Park*" (2025).

ProPublica Nonprofit Explorer, available at https://projects.propublica.org/nonprofits.

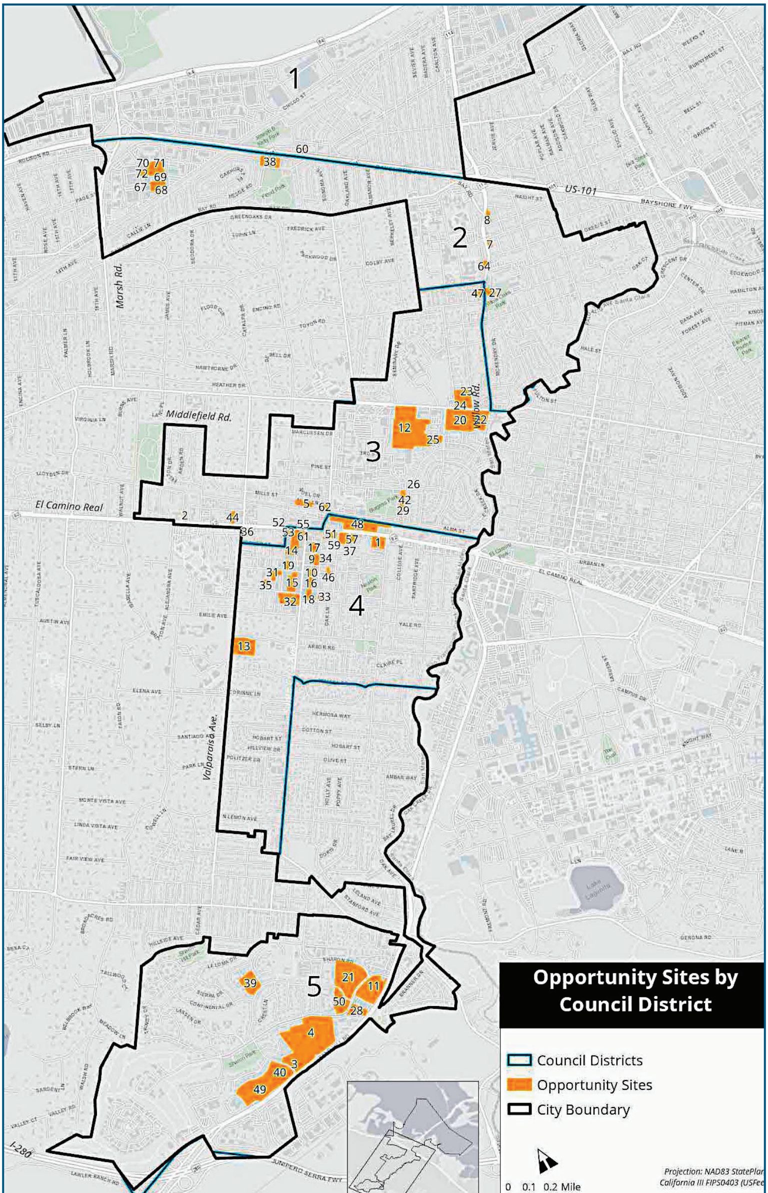
Urban Habitat, "*The Failure of For-Profit Affordable Housing - and How Tenants are Organizing for Change*," available at https://urbanhabitat.org/resource/the-failure-of-for-profit-affordable-housing-and-how-tenants-are-organizing-for-change/.

The Washington Post, *"In D.C., These publicly funded homes for the poor cost $1.2 million each to build"* (June 6, 2025), available at https://www.washingtonpost.com/dc-md-va/2025/06/06/these-publicly-funded-homes-poor-cost-12-million-each-develop/.

*“Never blame a legislative body
for not doing something. When they do nothing,
they don't hurt anybody. When they do something
is when they become dangerous.”*

Will Rogers
(November 22, 1929)

Alternate site map



Preface

MENLO PARK—Guided by medical ethics and the Hippocratic Oath, physicians follow a principle of "*First, do no harm*."

That ground rule inspires doctors to respect the wishes of those in their care, to make full disclosures that allow informed decision-making, to minimize risk, and, most of all, to avoid injury.

Government would do well to act in the same way.

Still, when it comes to Menlo Park's anticipated giveaway of downtown lands, public officials hardly seem committed to openness or accountability, just as they must know that their selected path will do *more* harm than good.

By pursuing a course designed by staff members, Menlo Park's five elected City Council members are tracking toward taking heavily used parking plazas to the north of the Santa Cruz Avenue commercial district away from the public, only to give the land to sophisticated developers to build apartment towers overshadowing the neighborhood.

Under the plan, the City Council would declare that the parking plazas are "surplus property" despite their constant use and value. Even worse, the City would *donate* that land to the winner of a RFQ/RFP beauty contest.

The City Council already has narrowed the field of contestants. Staying in the game looks worthwhile considering how a winning developer will secure a long-term lease of public lands at $1 per year in rent, plus gain access to developer fees, tax credits, and other subsidies that make the affordable housing business so lucrative.

Few dispute that the City has acute housing needs and should help remediate that by streamlining the process to add affordable places to live throughout the town.

"But proceeding at the targeted sites comes with destructive, irreversible results."

But proceeding at the targeted sites comes with destructive, irreversible results. By forfeiting parking plazas built to keep businesses downtown, the City could hurt a greater number of people than it helps and forever alter the very ambience it promotes as making the town special.

These dominoes could fall because by eliminating or reducing the ready downtown parking the community has depended on for 70 years, Menlo Park runs a high risk of destroying its Santa Cruz Avenue business district.

Should the loss of parking nudge, or compel, residents and visitors to go elsewhere to shop and dine, hundreds could lose their jobs as shops close. A short time later, that could cascade into reduced income, sales, and property tax collections by the City and local schools.

Menlo Park appears willing to precipitate that by trading downtown parking that presently serves all users for 345 restricted rental units that the City says it needs to make progress toward its 2023-2031 affordable housing quotas.

Nonetheless, Menlo Park could meet its targets in other ways and at other locations if the City's leaders cared more about the will of the public rather than the sanctity of their state-approved housing element.

Instead of giving away downtown property, the City could provide subsidies such as incentives for ADU construction. It could use up-zoning, and other development tools its housing element discusses.

And, of course, the City could look at alternatives to repurposing parking plazas by moving construction to other sites it owns, by looking at transit parking at the Caltrain railway corridor, or by helping a developer identify alternate lands to purchase.

After all, City maps show 72 "opportunity" sites for possible use. If all eight downtown parking plazas were taken off the table, 64 other sites could gain a second look.

Further, the City could return the Civic Center to active consideration or remove its embargo on building affordable housing in District 1. For either to occur, politicians need only retreat from their arbitrary view that those locations are untouchable.

Lastly on this point, with plans for the Parkline development to add 800 dwelling units, including 250 earmarked for affordable housing (and the prospect of negotiating for more units if housing were emphasized over office space), the City already may have other ways to meet mandates without destroying the downtown's ecosystem.

At its core, then, the City will make choices with ramifications beyond merely selecting parking or pillars.

Rapid-fire decisions await, and the City's accelerated pace makes it appear that leadership has more interest in anointing a developer than serving the townspeople.

Ultimately, though, the City residents, merchants, and visitors are the ones who stand to lose the heart of their community because their elected officials' *first* option was to do harm.

It need not be that way.

First, some background sets the context.

Despite questions about what is best for downtown and concern about the City's little-publicized 2023 recasting of repurposing of downtown parking plazas from something to consider into a priority, Menlo Park commenced a developer selection process by issuing a Request for Qualifications ("RFQ") on Jan. 29, 2025.

On June 2, 2025, the City Council reviewed developer submissions and winnowed the field to six teams it will invite to bid in a Request for Proposals ("RFP").

The City's original RFQ ironically emphasized Menlo Park's downtown as "featuring unique and upscale shops and restaurants, and entertainment, including the Guild Theatre." The City's own words boasted, "Set in a pleasant, pedestrian-oriented atmosphere, Menlo Park's downtown area attracts locals and visitors alike."

Even so, the City is on course to partner with a developer to forever alter that "atmosphere" by building five-to-10-story apartment buildings on three of the City-owned parking plazas that serve those locals and visitors.

The City issued that RFQ even though at the time:

(a) It lacked the authority to convert the three public parking plazas to housing.
(b) Ample evidence showed that reducing downtown parking would endanger the "unique and upscale shops and restaurants."
(c) A long-promised parking needs study remained unfinished (with delivery now delayed again until late 2025).
(d) Community opposition to repurposing the parking plazas ran at a 9-to-1 level.
(e) Resident requests and a state communication advocated for considering using sites the City owns outside of downtown as a backup.

The City says it can resolve that first issue under a mask of state law that would let it transfer the parking plazas without following a Notice of Availability process. To do that - *wink, wink* - the City Council would declare that the three lots covering 4.83 acres of prime real estate qualify as "exempt surplus property" because it would convert the public land to affordable housing.

"[F]ew accept that the Santa Cruz Avenue area parking lots are unused and useless or that a surplus property declaration is fact-based and truthful."

Engaging in this charade would occur even though few accept that the Santa Cruz Avenue area parking lots are unused and useless or that a surplus property declaration is fact-based and truthful.

Some believe this repurposing is a wasting of public assets and a breach of fiduciary duty.

Further, the City seems willing to use this ploy even though nothing prevents an interested developer from purchasing alternate building sites on its own dime.

Yes, the developer's costs would increase if it paid its own way. So, the City spins it this way: "Because the City owns the land, it lowers the potential costs of affordable housing, making development more likely to be built."

But in a free market economy, developers regularly utilize their own funds to buy and clear building sites. They accept that as one cost of doing business.

That very investment is happening across the City. Developers have acquired the Sunset Magazine and USGS office sites that could accommodate new housing. Others are set to build housing and offices on private lands, such as the Parkline project on the 63-acre SRI International site.

Finally, the U.S. Interior and HUD agencies formed a task force in March to streamline making federal lands available to local governments to build affordable housing, raising the question whether a portion of the 90 acres on the VA Hospital grounds might provide a place to build.

Those alternate sites bring opportunities, just as they engender risks of harm and objections. Still, residents rely on public officials to review each project closely to ensure that benefits outweigh costs and to protect the community.

That is precisely why neighbors have demanded that City Council members continue to move slowly on Parkline, a project first brought forward *in October 2021*. They trust the City to reject a project that does more harm than good.

The community deserves nothing less downtown.

After all, the residents own the parking plazas and they are dedicated to a longstanding and valued public use. Additionally, the practical reality is that the choice *is between* preserving the downtown business district and building apartment towers. It is fanciful to think a bureaucracy such as that in Menlo Park could achieve both.

In effect, then, it is a binary choice.

As to costs and benefits, the facts demonstrate that replacing downtown parking with apartments will pose an existential threat to a vital, irreplaceable business district.

Moving the project to alternate sites already identified by the City simply requires more legwork and a willingness to correct errors and omissions.

To be sure, years could pass before construction site signage at the parking plazas declares that tax dollars are at work. Plus, a ballot initiative effort could sidetrack matters by requiring voter approval of any attempt by the City to reduce downtown parking or declare it as surplus property.

All the same, if a developer ultimately does break ground on the plazas, doubt will remain about the choices that elected officials made, the information they withheld, and whether they wrongly acquiesced to state officials.

More fundamentally, the community will demand to know why the government sacrificed the downtown without squarely addressing and accepting responsibility for the long-term injury it will have inflicted.

Part One

A sorry way to lose a downtown

This avoidable saga starts with Menlo Park's current housing element, which is the City's plan to boost residential availability and meet its Regional Housing Needs Assessment (RHNA) directive to add 2,946 housing units in the 2023-2031 program period, with about a third of those units dedicated to affordable housing.

A 2023 City Council resolution adopting the 2023-2031 housing element subtly but powerfully changed the language regarding the potential fate of downtown parking plazas by modifying language from "*Consider* City-Owned Land for Housing (Downtown Parking Lots)," to "*Prioritize* City-Owned Land for Housing (Downtown Parking Lots)." (Emphasis added.)

It is no wonder then that follow-up planning documents fixate on using publicly-owned parking plazas (perhaps worth $70 million or more) as the quick-fix spot for adding low-income housing.

Another reason for the haste is that Menlo Park hopes to avoid California's dreaded "builder's remedy" law, a penalty faced by municipalities that fail to meet California Department of Housing and Community Development targets and deadlines. That law lets developers bypass zoning laws of a non-compliant community if one-fifth of the units in a project qualify as affordable.

"So, in the last 12 months, the City has proceeded in a ***ready, fire, aim*** *manner."*

So, in the last 12 months, the City has proceeded in a *ready, fire, aim* manner.

As to any transfer of parking plazas, on paper, the City will appear as the donor because its name will show up on legal documents as the grantor or lessee.

But that is a convenient fiction.

Instead, the homeowners who lost land when the City created the parking plazas and the businesses that paid special assessments to build them comprise the original donors. The second cohort of non-voluntary donors will consist of patrons and merchants of the Santa Cruz Avenue business district that will lose ready, convenient parking.

City documents try to quell fear about the parking loss by stating "Shared parking agreements and creative parking management strategies have been requested in the request for qualifications (RFQ), and the City seeks developer responses that *explore* these components as a part of any proposed development." (Emphasis added.)

Note the word "*explore*," which the *Merriam-Webster Dictionary* says is "to investigate, study, or analyze; look into." "Include" would have been a better term to use.

Currently, the three plazas welcome all comers and serve the locally owned businesses around the Santa Cruz

Avenue business district, which employs hundreds and accounts for millions in sales, property, and income taxes.

But take that parking away, and the Santa Cruz Avenue faithful will divert their purchases to nearby towns and online vendors. Prospective tenants will go elsewhere. Meanwhile, mainstays will question whether to renew leases or call it quits because of the looming disruption from construction and loss of parking.

"Menlo Park's downtown will lose its heart."

Menlo Park's downtown will lose its heart.

The City counters with assurances such as, "Parking will be provided, but the number of spaces, location, and configuration have not yet been determined" and "The goal is to ensure an adequate supply of conveniently located public parking for downtown businesses and visitors, in addition to the parking needs of new residents."

Replacement parking also will come at a great cost. In his *Creating A More Vibrant Menlo Park* blog, writer Dana Hendrickson states that replacement parking would cost between \$43 - \$51 million, plus annual debt service of up to \$3.8 million. When added to the value of the land in issue, the true cost of replacement parking could exceed \$120 million.

The calculus of spending that sum for 345 apartments relies on equations without solutions.

Plus, no matter the math, it involves a lot for one town to give, and even more for its residents to lose.

PART TWO

Enriching the rich

The folly of Menlo Park's parking plaza gift grows as you study who stand to benefit the most by obtaining public lands for free.

At its June 2, 2025 meeting, the City Council directed its staff to invite six development teams to submit proposals to build the housing units that would displace parking plazas 1, 2, and 3. They are:

Alliant Communities
Eden Housing
MidPen Housing
PATH Ventures
Presidio Bay Ventures
Related Companies/Alta Housing

Unlike the mom-and-pop, family-owned businesses in downtown now, these developers hold massive real estate portfolios, with some worth billions of dollars. Their revenues dwarf those of Santa Cruz Avenue enterprises.

The websites of these companies promote their size and experience. One even notes its "bespoke" approach.

Here are a few highlights:

ALLIANT COMMUNITIES "is led by an experienced team with an average of 25 years of real estate experience, and its executives have collectively built a portfolio of over 1,000 affordable housing communities and have provided homes for over 400,000 families nationwide." "Alliant Capital, AC's Affiliate, is a national leader in the world of affordable housing, having capitalized over $8 billion in affordable housing and Low Income Housing Tax Credit (LIHTC) developments."

Eden Housing, a nonprofit, tallies that it has developed, acquired, and preserved "12,681 affordable homes," has "4,642 additional homes" in the "pipeline," and "163 properties owned or managed."

MidPen Housing, a nonprofit, promotes that it "created more than 130 communities with over 9,000 homes for low-income families, seniors, and special needs individuals throughout Northern California." Its "By the Numbers" web page touts that it has "$2.9B in assets."

Path Ventures, a nonprofit that is the development affiliate of PATH (People Assisting The Homeless), tells how it "is building across the state, with nearly 2,500 affordable and supportive homes constructed or in pre-development." PATH's 2020 tax return indicates its annual revenues exceeded $89 million, with nearly $66 million from government contracts.

Presidio Bay Ventures leads the opening page of the "*About Us*" section of its Internet site with these eye-popping figures: "$5.4 billion of project value, 5.8 Million Sq. Ft. of development, 38 projects across eight states." Its website also says, "We seize each opportunity with a bespoke strategy and creative mindset, informed by our wide-ranging experience and the perspectives of our diverse team." That bespoke strategy produced the Springline commercial and housing development on the east side of El Camino Real in Menlo Park that includes "183 luxury apartments, ~29,000 square feet of retail space, 942 parking spaces spread over 2 subterranean parking levels, and inviting public plazas and open spaces."

Related California's website details the accomplishments of its founder, including how he is responsible for "oversight of planning, financing, and construction of a development portfolio of more than 21,000 residential units, completed or under construction, totaling more than $11.7 billion in assets."

Alta Housing, Related's partner for the Menlo Park project, is a non-profit entity that owns and manages " 26 communities, providing over 1,000 homes for families, seniors, formerly homeless individuals, and those with special needs."

But little in the developer web pages reveals that they could not continue building affordable housing without massive gifts of public lands for each new project.

Additionally, it remains an open question whether all RFP finalists could even meet the City's articulated project goals regarding replacement parking, affordable housing units, and occupancy deadlines.

For example, some entities chosen to participate in the RFP may lack the ability to finance the requisite replacement public parking for 506 vehicles.

Eden Housing provided this candid, perhaps disqualifying RFQ response regarding that:

> We recognize that the construction of a public parking garage is a critical asset to the Menlo Park business community. Unfortunately, the financial tools available to affordable housing developers do not allow us to build a non-housing component this large without direct subsidy, so we did not include this garage in our proposal.

Eden Housing added that its design team set aside part of parking plaza 1 for a "5-story, 515-space garage that could be *developed by the City* or a development entity of their choosing." (Emphasis added.)

"Translation: We will take your land but do not count on us to build or pay for your replacement parking."

Translation: We will take your land but do not count on us to build or pay for your replacement parking.

Another point of contention with the City's plan is how it layers gifted land onto other forms of taxpayer support that affordable housing developers use to generate profits or surpluses.

Most, if not all, of the companies Menlo Park cleared to move to its RFP round use their housing projects as a vehicle to secure federal tax credits and other benefits under public financing and tax laws.

Those benefits are *in addition to* fees a developer can collect, which sometimes range from 10 to 15 percent. Illustrative of this, the 2024 audited financials for MidPen Housing show it collected $16,844,745 in development and management fee revenues last year.

While Menlo Park seems destined to endorse the use of Low Income Housing Tax Credits ("LIHTC") for builder financing, the City will do so at a time when the affordable housing industry is under increasing criticism for its use of LIHTCs and its overall reliance on government subsidies.

Just this spring, Chris Edwards of the Cato Institute appeared before a subcommittee of the House Committee on Oversight and Government Reform to discuss problems with the LIHTC use.

He noted how a major share of those tax credits go "to investors and developers, rather than to tenants" and suggested that "reducing state and local taxes and regulations" could produce more and better housing.

Then, in a June 7, 2025 article, the *Washington Post* reported on the high costs of building LIHTC housing projects, which it estimated could exceed $1 million per unit in cities such as San Francisco. It said that this occurs on a "tab" that is "picked up in large part by taxpayers, most of whom could not afford to live in such a place."

The *Washington Post* wrote,

Among key drivers of such high prices are the financing costs associated with using [LIHTCs], which over the past few decades has become the low-income housing industry's primary funding source – paid for with about $10.5 billion per year in foregone federal tax revenue, according to the U.S. Department of Housing and Urban Development.

To make use of the credits, which lower a company's tax liability dollar-for-dollar, developers typically partner with big companies, such as banks, that have tax liabilities big enough to benefit from them. While the credits are awarded in significant amounts – often tens of millions of dollars – developers typically have to augment them with various other funding sources. The resulting financing structures require small armies of lawyers and accountants to manage, driving up development costs.

While affordable housing developers and advocates privately acknowledge the program's inefficiencies, they are reluctant to offer public criticism because, without it, tens of thousands of new affordable housing units per year would not be built.

The City seems oblivious to those criticisms of the LIHTC tool a selected developer will bank on using.

And it is true that no matter the per-unit cost to build downtown once land values, builder fees, and design and material expenses are factored in, ultimately 345 or so families could gain housing in apartment towers thanks to the efforts of a for-profit or non-profit developer.

But, why must the City donate this particular land and is it really necessary for it to subsidize one of its RFP invitees with that huge gift?

"Further, the City could face a net loss in downtown property tax revenue considering the expected nonprofit status of any affordable housing apartments that would replace the parking plazas."

Further, the City could face a net loss in downtown property tax revenue considering the expected nonprofit status of any affordable housing apartments that would replace the parking plazas.

In its 2022 financial impact analysis on the current housing element, the City tacitly conceded that new housing on the parking plazas would not generate property tax income: "The FIA assumes that project sites developed with 100 percent affordable developments would be owned and managed by nonprofit affordable housing entities."

So, if the City orchestrates the demise of taxpaying merchants, with a resultant devaluation of Santa Cruz Avenue properties, it will incur a net loss of revenues.

Moreover, as to the non-profits in contention for the RFP award, it is not likely they would fail unless they can build on the free land of the downtown parking plazas. The way they spend their money helps to prove that.

The federal government requires that tax-exempt and public benefit entities make annual Internal Revenue Service Form 990 filings, which include compensation data. The Form 990s for the developers on Menlo Park's short list show that they pay well.

For example, MidPen Housing, based in Foster City, and its affiliates paid their CEO/President $692,605 for what the 2023 Form 990 said was an average 45-hour workweek.

Meanwhile, Hayward-based Eden Housing paid its CEO reportable pay of $600,190, plus $41,962 received in "other" compensation from her organization and affiliates. Its 2023 Form 990 listed that she worked an average of 65 hours per week. That form also showed that Eden Housing paid its senior vice president *of people and culture* $331,133, plus $50,019 from affiliates. Its chief of real estate, who signed the company's RFQ response to Menlo Park, received $406,143 in total 2023 pay.

Most of the other RFP finalists are private concerns that do not disclose yearly revenues, profits, or executive pay. But they, too, will not fail unless they can build on the downtown parking plazas the City would contribute.

Plus, they are in a well-criticized for-profit industry.

One recent Bay Area report lumped for-profit affordable housing builders and operators into a single basket of bad apples. *See "The Failure of For-Profit*

Affordable Housing - and How Tenants are Organizing for Change," available at *https://urbanhabitat.org/resource/the-failure-of-for-profit-affordable-housing-and-how-tenants-are-organizing-for-change/* (last accessed May 25, 2025).

The Urban Habitat organization issued that foreboding report in 2023, although its analysis *did not name* any developer involved in the Menlo Park RFQ.

"'Too often, the LIHTC program has allowed profit-seeking investors to enrich themselves at the expense of low-income tenants.'"

It criticized for-profit developers in the same way as the Cato Institute, asserting, "Too often, the LIHTC program has allowed profit-seeking investors to enrich themselves at the expense of low-income tenants."

Urban Habitat's report described how developers finance projects such as that under consideration for downtown Menlo Park through LIHTC programs:

> Because LIHTC is premised on generating funds for housing development through the sale of tax credits, investing in LIHTC properties has turned into a lucrative business. These tax credits, which investors use to offset their liabilities, coupled with a dearth of monitoring mechanisms, have effectively made the LIHTC program a corporate tax shelter that attracts exorbitantly wealthy and powerful corporations as partners.

No matter who receives Menlo Park's downtown parking land, transfer of that public property will provide a gift that keeps on giving. Once constructed, a developer could collect a ready stream of rents or sell the buildings.

Those financial aspects also may help explain why so many developers responded to Menlo Park's RFQ. As to the developers still in contention, each apparently provided adequate support that it *already* has the financial capability to undertake construction and that its initial plans meet minimum unit requirements with pleasing designs.

Oh, and one more thing, despite the lack of a current parking study, the RFQ calculated that "utilization patterns suggest a need to maintain a minimum of approximately 506 of the 556 existing public parking spaces to serve existing demand at the peak hour across the three sites."

Accordingly, the RFQ required developers to *discuss* how they would provide the downtown with at least 506 replacement parking spaces. Few specified how they would do that, but the City Council glossed over that omission by green-lighting drafting of the RFP.

Additionally, according to the City Council, it is a foregone conclusion that downtown parking is not needed anyway. A 2023 resolution adopting the housing element, approved by four of the City Council members, declared:

> "[E]xisting uses on the non-vacant sites identified in the site inventory to accommodate the RHNA [such as all eight downtown parking plazas] *are likely to be discontinued during the planning period* and

> therefore do not constitute an impediment to planned residential development on the site during the planning period."

(Emphasis added.)

Because that same resolution claimed that "substantial evidence in the record" supported such a finding, the results of the anticipated 2025 parking study seem immaterial. And the full-speed-ahead approach of the current City Council well could make that 2023 resolution a self-fulfilling prophecy, no matter the proof or the injury.

Other aspects of the RFQ responses raise concerns whether the City will secure enough low-income housing units to allow it to shoehorn the downtown parking plaza project into the state exempt surplus property mechanism needed to give the land away.

"[S]ome RFQ respondents listed their affordable housing unit targets in aspirational terms because they already harbor questions about feasibility."

To bypass bidding processes for surplus property, the City must ensure that a sufficient percentage of units in a project are dedicated for rent to income-qualifying households. Nevertheless, some RFQ respondents listed their affordable housing unit targets in aspirational terms because they already harbor questions about feasibility.

By way of example, Presidio Bay's RFQ response understood that the City seeks 345 low-income units. Even so, Presidio Bay augmented its response with "an alternative *that is more financially feasible,"* which is to build *moderate-income* housing that also "serves a needed demographic of Menlo Park." (Emphasis added.)

Presidio Bay forewarned, "While there is an opportunity to deliver very low-income housing, *the more feasible solution from a financing standpoint also most readily benefits the immediate existing community by ensuring that housing is actually built* . . . ." (Emphasis added.)

If feasibility is an issue and doubt exists about getting housing as requested "actually built," then signals like that from Presidio Bay make it premature for the City Council to declare the downtown lots are exempt surplus property.

Finally, some of the developers' timelines do not match City deadlines. RFQ documents indicated residential occupancy needs to start in a few years. Yet, some interested developers provided construction timelines with move-in dates into the next decade.

By then, before anyone calls the parking lots home, the community will have paid a ruinous toll.

Yes, the City will have marginally increased its affordable housing, but with costly consequences.

The City could have avoided that harm if only its elected officials would have:

(1) Removed the bullseye from the back of those who shop or work in downtown Menlo Park, and

(2) Steered developers to alternate, less harmful locations to build the desired number of housing units.

Closing

The uncertainty surrounding the future of downtown Menlo Park continues to divide the community. Suspicion remains as City leaders feign to do the right thing while only succeeding in creating angst.

The City implores that its certified housing element quotas tie its hands, while the threat of the builder's remedy binds its ankles.

"Still, the City's intransigence on using alternate locations persists in fueling discord."

Still, the City's intransigence on using alternate locations persists in fueling discord.

An impassioned minority applauds the downtown land giveaway as a just rebuke to those who support affordable housing only if it is not in their back yard. They note many service workers, teachers, and other members of the labor force lack sufficient income to live where they work, but do so without acknowledging that many of those individuals likely earn too much to qualify for rental units in the towers that would displace the parking plaza lands.

These supporters demand quick action because they say Menlo Park has taken too long to alleviate the high costs and low supply of community housing. Some even assert removing the auto parks will accelerate use of mass transit and bicycles and slow emission of greenhouse gases while ignoring the congestion and traffic a loss of parking and the addition of 345 households will create.

Contrasted with that, a vocal majority argues that the City cannot retain what it promotes as representing the best of Menlo Park without keeping the downtown parking plazas. They say shops and stores adjacent to Santa Cruz Avenue will not survive without readily available parking at plazas the City financed by assessing property owners.

They fear that downtown will lose its quaintness once high-rise buildings overshadow the one- and two-story shops there now. They believe other sites the City owns would work as well or better, without similar risks or injury.

Uniformly, the opponents of the removal of downtown parking decry a lack of a voice at City Hall. They have filed an intent to petition for a ballot initiative that would require voter approval of any repurposing of the downtown parking plazas.

No matter the viewpoint, the ongoing controversy continues to disrupt Menlo Park's tranquility as politicians blunder toward converting downtown parking plazas to apartment towers by giving away prized public lands.

While the City Council has time to reverse course, its failure to do so will leave a haunting question:

Whatever happened to "First, do no harm?"

About the author

Michael Giudicessi lives in Iowa. He regularly visits Menlo Park, staying at his family's home near downtown. Giudicessi received a journalism degree from the University of Missouri and a law degree from the University of Iowa.

The author seeks accuracy in this commentary on current government and public issues. If you find a factual error, please send your suggested correction to *giudicessi@iabar.org* for possible use in any future versions.

Guided by medical ethics and the Hippocratic Oath, physicians follow a principle of "*First, do no harm.*"

This ground rule inspires doctors to respect the wishes of those in their care, to make full disclosures that allow informed decision-making, to minimize risk, and, most of all, to avoid injury.

Government would do well to act in the same way.