

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
AUTHORIZING THE CITY MANAGER OR DESIGNEE TO AMEND THE BELOW-MARKET-RATE
REGULATORY AGREEMENT BETWEEN THE CITY OF MOUNTAIN VIEW, MOUNTAIN VIEW
OWNER, LLC, AND MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT TO ADD FOOTHILL-DEANZA
COMMUNITY COLLEGE DISTRICT AS A PARTY TO THE AGREEMENT AND TO MAKE OTHER
CONFORMING AMENDMENTS

WHEREAS, [on May 21, 2019](#), the City Council approved the residential Gatekeeper project located at 777 West Middlefield Road (now called “The Sevens”); and

WHEREAS, the overall project includes 716 units, of which 20% are Below-Market-Rate (BMR) units (144 units) to meet project-approval requirements; and

WHEREAS, Council approved the request from the developer (Fort Bay at the time, now Miramar) that the delivery of the BMR units be accomplished via an alternative mitigation through off-site delivery of the units rather than integrated with the market-rate units, with 124 units reserved for teachers/staff employed by the Mountain View Whisman School District (MVWSD or District) and 20 BMR units reserved for City staff; and

WHEREAS, the BMR units initially included moderate-income units up to 120% of area median income (AMI); and

WHEREAS, the project was completed at the beginning of 2025, and tenants began moving into the BMR units in February 2025; and

WHEREAS, the lease-up rate for the moderate-income units was very low; and

WHEREAS, the Developer and MVWSD requested that the City modify the project’s BMR requirements to increase the moderate-income units from 120% AMI to 150% AMI and to extend the grace period from one year to three years for tenants who initially qualify for a BMR unit but later become over-income and are required to move out; and

WHEREAS, on [June 24, 2025](#), Council adopted Resolution No. 19010 1) amending the project’s Condition of Approval and 2) amending the BMR Regulatory Agreement to increase the income eligibility for moderate-income housing units to 150% AMI for qualifying MVWSD and City employees and extending the amount of time employees have to vacate a BMR unit after exceeding the income limit from one year to three years.

WHEREAS, on September 9, 2025, MVWSD and the Foothill-De Anza Community College District (FHDA) entered into a purchase and sale agreement (“PSA”) pursuant to which MVWSD intends to sell to FHDA, and FHDA intends to buy from MVWSD, a thirty-five percent (35%) interest in the BMR project that includes the purchase and sale of fifty (50) MVWSD Units to FHDA (“FHDA Ownership Interest”) and a Co-Tenancy Agreement; and

WHEREAS, FHDA’s purchase of a portion of the MVWSD’s units further expands the eligible pool of households by making the units available to FHDA teachers and staff, and this expanded pool is expected to help with lease-up of the moderate-income units, reduce the vacancy rate, and generate sufficient rents to keep the project economically viable; and

WHEREAS, teacher housing provides an opportunity to strengthen connections between educators and the communities they serve, reduces commutes and traffic congestion, and increases the ability for school districts to attract and retain employees, some of whom may be in positions that are difficult to fill; and

WHEREAS, these benefits would extend to FHDA, their educators, and their community once FHDA completes the purchase of the 50 units;

WHEREAS, with FHDA owning a share of the BMR project, the BMR Regulatory Agreement must be amended to add FHDA as a party to the agreement and make associated changes; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View hereby authorizes the City Manager or designee to amend the Below-Market-Rate Regulatory Agreement to add Foothill-DeAnza Community College District as a party to the Agreement and to make other conforming amendments; and be it

FURTHER RESOLVED: that this resolution shall become effective immediately upon adoption.
