

RESOLUTION NO. 2026-XYZZ

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS AUTHORIZING THE CITY MANAGER OR DESIGNEE TO INITIATE DEFAULT PROCEEDINGS, AND ALL ASSOCIATED ENFORCEMENT ACTIONS AS PROVIDED IN CALHOME AND/OR SAN MARCOS AFFORDABLE HOUSING PROGRAM REGULATORY AGREEMENTS, INCLUDING BUT NOT LIMITED TO ACCELERATION OF THE LOAN, FORECLOSURE, AND THE OPTION FOR THE CITY TO PURCHASE THE PROPERTY AT OR BELOW THE MAXIMUM SALES PRICE ESTABLISHED IN THE APPLICABLE AGREEMENTS.

WHEREAS, the City of San Marcos administers CalHome Downpayment Assistance Programs and San Marcos Affordable Housing Programs (SMAHP) designed to preserve long-term affordability to improve access to homeownership for income-qualified buyers; and

WHEREAS, the City of San Marcos has received funds through the State of California Department of Housing and Community Development to fund down payment assistance loans or to issue rehabilitation loans for income-qualified borrowers; and

WHEREAS, the City of San Marcos enters into Regulatory Agreements including but not limited to Loan Agreements, Promissory Notes, Deeds of Trust, and Declaration of Covenants, Conditions and Restrictions outlining the terms, conditions, and restrictions of program compliance as set forth in Health and Safety Code 50650 et. Seq. with income qualified buyers who have participated in first-time home buyer education; and

WHEREAS, the City of San Marcos is required to initiate and manage default enforcement actions necessary to preserve affordable housing resources and ensure compliance with CalHOME and SMAHP requirements.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Marcos, as follows:

1. The foregoing recitals are true and correct and are incorporated into this Resolution by this reference.
2. The City Manager, or designee, is authorized to initiate and execute all default enforcement actions under the CalHOME and/or the San Marcos Affordable Housing Program loan documents and regulatory agreements.
3. Authorized actions include, but are not limited to declaring borrower default, accelerating all sums owed under the loan documents, proceeding with foreclosure when applicable; exercising the City's option to purchase the property at or below the maximum sales price established in the regulatory agreements and implementing the same, and executing all documents and taking such actions as are required to carry out enforcement actions and preserve affordability. This authorization remains in effect unless amended or rescinded by the City Council.
4. The City Manager, or designee, is authorized to execute all documents and instruments that are necessary and/or appropriate to implement these approvals and to take all actions necessary and/or appropriate to implement these approvals.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS at a regular meeting held on the 28th day of July, 2026, by the following roll call vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

Rebecca D. Jones, Mayor
City of San Marcos

Attest:

Phillip Scollick, City Clerk