



Administrative Report

H.6., File # 25-1716

Meeting Date: 2/17/2026

To: MAYOR AND CITY COUNCIL
From: ANDREW WINJE, PUBLIC WORKS DIRECTOR

TITLE

APPROVE THE SIXTH AMENDMENT TO THE AGREEMENT WITH TATA COMMUNICATIONS (US) INC. TO EXTEND THE AGREEMENT THROUGH DECEMBER 31, 2027

APPROVE AN AGREEMENT WITH GU HOLDINGS (GOOGLE) FOR THE OPERATION OF TELECOMMUNICATIONS NETWORK FACILITIES IN THE CITY'S RIGHT OF WAY FOR A TERM ENDING DECEMBER 31, 2027

EXECUTIVE SUMMARY

Tata Communications (US) Inc. (Tata) has requested an extension of their Agreement with the City for installation and operation of telecommunications network facilities in the City rights-of-way between Herondo Street and 811 N Catalina Ave as part of a global fiber-optic network. In 2011, Tata sold a portion of their telecommunications network facilities to Gu Holdings (Google) and now Google must enter into a stand-alone agreement with the City for those network facilities that were established prior to the sale. The network is used to provide wholesale capacity, collocation, managed bandwidth, and related services on a global basis. There are no plans to offer retail services over the network. Upon contract execution, Tata and Google will pay the City \$142,877.69 and \$175,795.56 respectively, for fees that had not been paid since 2012. The City will receive approximately \$19,000 in FY 2026-27 for the two agreements, which will increase by 5% annually during the duration of the term.

BACKGROUND

The City and TyCom Networks (US) Inc, known as Tyco Telecommunications (US) Inc. (Tyco) entered into an Encroachment Agreement (Agreement) on December 17, 2002 for approximately 1,045 lineal feet from Herondo Street to 811 N Catalina Ave. On September 6, 2005, the City Council consented to the assignment of the Agreement to VSNL Telecommunications (US) Inc. (VSNL). Subsequently, on March 28, 2008, the company changed its name to Tata, the current controlling entity. On December 2, 2008, the City Council approved the first amendment to the Agreement to reflect the name change and certain revisions to the project.

On April 7, 2009, the City Council approved the second amendment to the Agreement to allow Tata to complete the network facilities authorized under the Agreement and to add additional conduit. On April 20, 2010, the City Council approved the third amendment to the Agreement, authorizing the first annual extension of the Agreement through December 31, 2010. On May 17, 2011, the City Council approved the fourth amendment to the Agreement, authorizing an annual extension of the Agreement

through December 31, 2011. Lastly, the City Council approved the fifth amendment on January 17, 2012 through December 31, 2012. Due to staffing changes during that time, a renewal was never initiated and staff has been working with both Tata and Google on executing new terms over the past few years to cover the gap and set terms going forward.

If approved, current agreements will be in place with both Tata and Google, with the terms remaining in effect through December 31, 2027. These terms will continue on an annual basis until terminated by either Party upon a no less than 90-day written notice.

COORDINATION

The Agreement has been approved as to form by the City Attorney's Office and was prepared in consultation with the City's telecommunications expert.

FISCAL IMPACT

The sixth amendment with Tata and the Agreement with Google will result in an initial payment to the City of \$318,673.25, which includes prior year fees. In Fiscal Year 2026-27 the City will receive a payment in the amount of \$18,858.54, which will increase by 5% the following fiscal year. The fees will be deposited in the City's General Fund.

APPROVED BY:

Mike Witzansky, City Manager

ATTACHMENTS

- Tata Sixth Amendment to Encroachment Agreement and Consent to Assignment
- Google Encroachment Agreement