

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING WITH CONDITIONS THE APPLICATION OF
SFOI.ORG FOR AN AMPLIFIED SOUND PERMIT**

WHEREAS, the Super Bowl LX event will be held at Levi's Stadium on February 8, 2026;

WHEREAS, the Super Bowl LX event is anticipated to draw numerous individuals and groups of varying sizes who wish to engage in free speech activities on public property in the vicinity of the Stadium;

WHEREAS, the presence of numerous groups of non-ticketed persons lingering in the public rights-of-way, potentially with noise amplification equipment, close to the event venue, raises significant public safety concerns;

WHEREAS, the establishment of free speech zones on the east and west sides of Levi's Stadium is necessary to address the substantial public safety concerns;

WHEREAS, the establishment of free speech zones, with associated rules on noise amplification, balances the public's opportunity to engage in expressive activity with the City's obligation to ensure the public's safe access to the public rights-of-way, and maintaining the safety of the public.

WHEREAS, it is the City's policy to accommodate expressive activities to the extent feasible, taking into account the City's overarching safety and security needs.

WHEREAS, an Application for Amplified Sound Permit was submitted by SFOI.org (Attachment 1), in which the applicant sought approval of the use of one amplification device on per "team" of 8-10 people (30-40 people total) upon sidewalks along Great America Parkway and Tasman Drive at the Super Bowl LX event; and,

WHEREAS, in order to address the substantial concerns described below, the City Council of the City of Santa Clara finds and resolves that the establishment of free speech zones, and the approval with certain conditions of the amplified sound permit, are necessary and serve the interest of public safety.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the presence of groups of non-ticketed persons lingering in the public rights-of-way, potentially with noise amplifying equipment, close to Levi's Stadium during the Super Bowl LX event raises substantial public safety concerns related to, among other things, the following issues:
 - A. Ensuring the safety of event attendees, the ticketing checkpoints, and the venue/event itself,
 - B. Ensuring that event attendees can safely and efficiently access or pass through ticketing checkpoints,
 - C. Preventing congestion and ensuring free flow of pedestrian traffic on the public rights-of-way,
 - D. Ensuring safe ADA access on the public rights-of-way,
 - E. Ensuring traffic safety by and between the speakers/groups and vehicle passengers or bicyclists,
 - F. Ensuring the free flow of vehicular, pedestrian, and bicycle traffic for primary transportation purposes,
 - G. Preserving the peace as between or amongst groups of speakers,
 - H. Ensuring that emergency response personnel including Police and Fire personnel can hear and respond to requests for assistance, and
 - I. Ensuring that emergency response personnel can effectively communicate with one another, particularly in the event of an emergency.
2. That the establishment of free speech zones, in specific locations to be determined by the Police Department, on Great America Parkway and on Tasman Drive, in the vicinity of (but outside) the ticketing checkpoints, is necessary to address the concerns set forth above and balances the City's legitimate and compelling interest in public safety with the public's rights to engage in expressive activity.

3. In order to address the substantial public safety concerns set forth above, the application of SFOI.org for an amplified sound permit is granted subject to the following conditions:

- A. The applicant shall use one amplification device per "team" of 8-10 people (30-40 people total);
- B. The applicant shall use the amplification device only within the free speech zone;
- C. The amplification volume of each device shall be no more than 65 decibels (the noise limitation in the commercial/office zone pursuant to SCCC 9.10.040).

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 20____, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Application of SFOI.org

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