



**CITY OF MILPITAS BALLOT MEASURE SURVEY**  
**220-5182-WT**  
**N=492**  
**MARGIN OF SAMPLING ERROR  $\pm 4.9\%$  (95% CONFIDENCE INTERVAL)**  
**A/B & C/D SPLITS**

Hello, I'm \_\_\_\_\_ from \_\_\_\_\_, a public opinion research company. I am definitely not trying to sell you anything. We are conducting an opinion survey about issues that interest people living in the City of Milpitas and we are only interested in your opinions. **(IF RESPONDENT REPLIES IN SPANISH, CHINESE OR VIETNAMESE, OR DESIRES TO SPEAK ONE OF THESE LANGUAGES, FOLLOW ESTABLISHED PROCEDURE TO HAND OFF TO AN INTERVIEWER WHO SPEAKS THE APPROPRIATE LANGUAGE).** May I speak to \_\_\_\_\_? **(YOU MUST SPEAK TO THE VOTER LISTED. VERIFY THAT THE VOTER LIVES AT THE ADDRESS LISTED, OTHERWISE TERMINATE.)**

- A. Before we begin, I need to know if I have reached you on a cell phone, and if so, are you in a place where you can talk safely without endangering yourself or others?

Yes, cell and can talk safely ----- 56%  
 Yes, cell but cannot talk safely ----- **TERMINATE**  
 No, not on cell ----- 44%  
**(DON'T READ) DK/NA/REFUSED ----- TERMINATE**

1. **(T)** First, would you say that things in Milpitas are generally headed in the right direction, or do you feel that things are pretty seriously off on the wrong track?

Right direction----- 46%  
 Wrong track ----- 26%  
**(DON'T READ) DK/NA ----- 28%**

**NOW I WOULD LIKE TO ASK YOU QUESTIONS ABOUT TWO POSSIBLE MEASURES THAT MIGHT APPEAR ON A FUTURE BALLOT IN MILPITAS. PLEASE KEEP IN MIND THAT BOTH, ONLY ONE, OR NEITHER OF THEM MAY EVENTUALLY END UP ON THE BALLOT. WHILE THEY BOTH RAISE REVENUE FOR THE CITY, [ ] ONE INVOLVES THE CITY'S TRANSIENT OCCUPANCY TAX AND [ ] ONE INVOLVES A POTENTIAL CITY CANNABIS, OR MARIJUANA, TAX.**

**(RANDOMIZE THE TWO MEASURE TYPES.)**

**-ROTATION INSTRUCTIONS-**

- **TWO BLOCKS - TOT AND CANNABIS**
- **ALL RESPONDENTS ARE ASKED BOTH BLOCKS**
- **SPLIT SAMPLE C: TOT (Q2) AND THEN CANNABIS (Q3-Q5)**
- **SPLIT SAMPLE D: CANNABIS (Q3-Q5) AND THEN TOT (Q2)**

**BLOCK ONE: TOT**

2. For the **FIRST/SECOND** measure, its official ballot language may read as follows:

**(SPLIT SAMPLE A – UP TO A MAXIMUM OF 14%)****City of Milpitas Transient Occupancy Tax Measure.**

To provide funding to maintain general city services, including:

- Police/ fire protection;
- 9-1-1 emergency response;
- Senior/ library services;
- Park maintenance;
- Pothole repair/ street paving; and
- Attracting/ retaining local businesses;

Shall an ordinance be adopted increasing the maximum transient occupancy tax paid by hotel guests from 10% up to as much as 14%, providing approximately 5 million, 200 thousand dollars annually until ended by voters, subject to independent, public audits, with all funds used locally?

**(SPLIT SAMPLE B – ANNUAL INCREASES TO 14%)****City of Milpitas Transient Occupancy Tax Measure.**

To provide funding to maintain general city services, including:

- Police/ fire protection;
- 9-1-1 emergency response;
- Senior/ library services;
- Pothole/ street repair; and
- Attracting/ retaining local businesses;

Shall an ordinance be adopted increasing the maximum transient occupancy tax paid by hotel guests from 10% to 12% in 2019 and to 14% in 2020, providing approximately 5 million, 200 thousand dollars annually until ended by voters, subject to independent, public audits, with all funds used locally?

**(RESUME ASKING ALL RESPONDENTS)**

If the vote on this measure were held today, would you vote yes in favor of it or vote no to oppose it?  
**(IF YES/NO, ASK: "Is that definitely or probably yes/no?") (IF UNDECIDED, ASK: Are you leaning toward voting yes or leaning toward voting no?)**

	<b>SPLIT A MAX OF <u>14%</u></b>	<b>SPLIT B ANN INC <u>14%</u></b>	<b><u>TOTAL</u></b>
<b>TOTAL YES</b> -----	<b>63%</b>	<b>64%</b>	<b>63%</b>
Definitely yes-----	32%	38%	35%
Probably yes-----	26%	21%	23%
Undecided, lean yes-----	5%	6%	5%
 <b>TOTAL NO</b> -----	 <b>35%</b>	 <b>32%</b>	 <b>34%</b>
Undecided, lean no-----	3%	3%	3%
Probably no-----	7%	8%	8%
Definitely no-----	25%	21%	23%
 <b>(DON'T READ) DK/NA</b> -----	 2%	 4%	 3%

	<b>SPLIT C TOT <u>FIRST</u></b>	<b>SPLIT D TOT <u>SECOND</u></b>
<b>TOTAL YES</b> -----	<b>65%</b>	<b>62%</b>
Definitely yes-----	31%	39%
Probably yes-----	28%	19%
Undecided, lean yes-----	7%	4%
 <b>TOTAL NO</b> -----	 <b>30%</b>	 <b>37%</b>
Undecided, lean no-----	4%	3%
Probably no-----	6%	9%
Definitely no-----	21%	24%
 <b>(DON'T READ) DK/NA</b> -----	 5%	 1%

**BLOCK TWO: CANNABIS TAX**

3. For the **FIRST/SECOND** measure, its official ballot language may read as follows:

**City of Milpitas Cannabis Tax Measure.**

To provide funding for general city services, including:

Police, fire, streets and libraries,

Shall an ordinance be adopted establishing City taxes on cannabis (marijuana) businesses at maximum rates of \$10 per canopy square foot for cultivation (adjustable for inflation), 10% of gross receipts for retail cannabis businesses, and 6% for all other cannabis businesses, providing approximately 1 million, 670 thousand dollars annually until ended by voters, subject to independent audits, with all funds used locally?

If the vote on this measure were held today, would you vote yes in favor of it or vote no to oppose it? **(IF YES/NO, ASK: "Is that definitely or probably yes/no?") (IF UNDECIDED, ASK: Are you leaning toward voting yes or leaning toward voting no?)**

	<u>SPLIT C</u>	<u>SPLIT D</u>	
	<u>CANNABIS CANNABIS</u>		
	<u>SECOND</u>	<u>FIRST</u>	<u>TOTAL</u>
<b>TOTAL YES</b> -----	<b>67%</b> -----	<b>63%</b> -----	<b>65%</b>
Definitely yes-----	42%-----	40%-----	41%
Probably yes-----	18%-----	21%-----	19%
Undecided, lean yes-----	7%-----	2%-----	4%
<b>TOTAL NO</b> -----	<b>30%</b> -----	<b>34%</b> -----	<b>32%</b>
Undecided, lean no-----	2%-----	1%-----	1%
Probably no-----	8%-----	8%-----	8%
Definitely no-----	21%-----	25%-----	23%
<b>(DON'T READ) DK/NA</b> -----	<b>3%</b> -----	<b>3%</b> -----	<b>3%</b>

4. Next, let me provide you with some background information about this measure. Cannabis – also referred to as marijuana – businesses are not currently permitted to operate in Milpitas, though the City Council has been discussing whether to permit some types of cannabis business activities. This measure would not make cannabis business activities legal in Milpitas. However, it would establish a tax framework that would apply to any cannabis business activities should the City Council decide to permit them in the future.

Having heard this, if the vote on this measure were held today, would you vote yes in favor of it or vote no to oppose it? **(IF YES/NO, ASK: “Is that definitely or probably yes/no?”)** **(IF UNDECIDED, ASK: Are you leaning toward voting yes or leaning toward voting no?)**

<b>TOTAL YES</b> -----	<b>62%</b>
Definitely yes-----	40%
Probably yes-----	18%
Undecided, lean yes-----	5%
<b>TOTAL NO</b> -----	<b>35%</b>
Undecided, lean no-----	1%
Probably no-----	7%
Definitely no-----	27%
<b>(DON'T READ) DK/NA</b> -----	<b>3%</b>

5. Next, while the final structure of this potential cannabis tax measure has not yet been finalized, I am going to read you a list of some of the main individual elements that could be included. After I read each one, please tell me whether it sounds like something you would support or oppose. **(IF SUPPORT/OPPOSE, ASK: “Is that strongly or just somewhat?”)** **(READ IN ORDER)**

	<u>STR</u> <u>SUPP</u>	<u>SMWT</u> <u>SUPP</u>	<u>SMWT</u> <u>OPP</u>	<u>STR</u> <u>OPP</u>	<u>(DK/NA)</u>	<u>TOTAL</u> <u>SUPP</u>	<u>TOTAL</u> <u>OPP</u>
[ ]a. Taxing cannabis cultivation at the maximum rate of 10 dollars per canopy square foot, adjustable for inflation -----	37%	24%	7%	24%	9%	61%	31%
[ ]b. Taxing all cannabis businesses not related to cultivation or retail at the maximum rate of six percent -----	39%	23%	8%	23%	7%	62%	31%
<b>(SPLIT SAMPLE A ONLY)</b>							
[ ]c. Taxing retail recreational and medical cannabis at the maximum rate of 10 percent of their gross receipts -----	39%	22%	10%	23%	6%	61%	34%
<b>(SPLIT SAMPLE B ONLY)</b>							
[ ]d. Taxing retail cannabis businesses at the maximum rate of 10 percent of their gross receipts -----	45%	22%	6%	21%	6%	67%	27%

**END BLOCK ROTATION**

**(RESUME ASKING ALL RESPONDENTS)**

**NOW I AM GOING TO READ YOU SOME STATEMENTS MADE BY BOTH SUPPORTERS AND OPPONENTS OF THE CANNABIS TAX MEASURE WE WERE JUST DISCUSSING.**

6. First, here are some statements from people who support this measure. After hearing each statement, please tell me whether you find it very convincing, somewhat convincing, or not convincing as a reason to vote yes on this measure. If you do not believe the statement, please tell me that too. **(RANDOMIZE)**

	<u>VERY CONV</u>	<u>SMWT CONV</u>	<u>NOT CONV</u>	<u>DON'T BELIEVE</u>	<u>(DON'T READ) DK/NA</u>	<u>VERY/ SMWT</u>
[ ]a. <b>(QUALITY OF LIFE/SERVICES)</b> This measure will provide funding to maintain and improve police and fire protection, local streets, sidewalks, libraries, parks, and recreation centers. It will help ensure that Milpitas remains a safe, beautiful and vibrant place to live, work and raise a family, and maintain the value of our homes. -----	32%	29%	22%	14%	3%	61%
[ ]b. <b>(T) (ACCOUNTABILITY)</b> This measure will be subject to strict accountability provisions like annual financial audits, full public disclosure of all spending, and a requirement that all funds be spent locally in Milpitas. This will ensure funds are used efficiently, effectively, and as promised. -----	34%	31%	15%	16%	4%	65%
[ ]c. <b>(SIMPLE)</b> Regardless of whether you support the use of cannabis, it is now legal and here to stay, and therefore the City should tax it to raise funds for essential city services. This tax is only paid by cannabis businesses and people who buy cannabis products. And the tax revenues stay here in Milpitas. -----	37%	32%	13%	14%	3%	69%
[ ]d. <b>(FAIR SHARE)</b> In addition to generating funds for other general city services, this measure will make sure the cannabis industry pays its fair share for any new costs. It will ensure our city has the funding to appropriately regulate these newly legalized cannabis businesses and protect public safety without having to take resources from existing programs. -----	32%	33%	19%	14%	3%	64%

	<u>VERY CONV</u>	<u>SMWT CONV</u>	<u>NOT CONV</u>	<u>DON'T BELIEVE</u>	<u>(DON'T READ) DK/NA</u>	<u>VERY/ SMWT</u>
[ ]e. <b>(BUFFERS)</b> This measure does not legalize cannabis. However, should it be legalized, cannabis businesses in our city would have to follow state laws, including buffer zones around schools, youth facilities, and day care centers. -----	37%	31%	17%	12%	4%	68%
[ ]f. <b>(STRUCTURE)</b> Though the City Council has yet to decide whether to allow any cannabis businesses in our city, this measure will ensure there is a tax structure for whatever comes next. Furthermore, it will provide the City Council with the flexibility to permit all, none or just some of the cannabis business activities covered in this measure.-----	27%	34%	21%	13%	4%	62%

7. Now that you have heard more about it, let me ask you again about the City of Milpitas Cannabis Tax Measure that would provide funding for general city services by taxing cannabis businesses at the maximum rates of 10 dollars per canopy square foot for cultivation, 10 percent of gross receipts for retail cannabis businesses, and 6 percent for all other cannabis businesses. If there were an election today, do you think you would vote “yes” in favor of if or “no” to oppose it? **(IF YES/NO, ASK: “Is that definitely or probably yes/no?”)** **(IF UNDECIDED, ASK: Are you leaning toward voting yes or leaning toward voting no?)**

**TOTAL YES ----- 66%**  
 Definitely yes----- 44%  
 Probably yes----- 17%  
 Undecided, lean yes-----5%

**TOTAL NO----- 29%**  
 Undecided, lean no-----2%  
 Probably no-----5%  
 Definitely no----- 22%

**(DON'T READ) DK/NA -----5%**

8. Next, here are some statements from people who oppose this measure. After hearing each statement, please tell me whether you find it very convincing, somewhat convincing, or not convincing as a reason to vote no on this measure. If you do not believe the statement, please tell me that too. **(RANDOMIZE)**

	<u>VERY CONV</u>	<u>SMWT CONV</u>	<u>NOT CONV</u>	<u>DON'T BELIEVE</u>	<u>(DON'T READ) DK/NA</u>	<u>VERY/ SMWT</u>
[ ]a. <b>(T*) (TAX FATIGUE)</b> Enough is enough. Milpitas schools just passed a parcel tax in 2014, VTA raised our sales tax a half-cent – and on top of that, local voters are facing bridge toll increases, another local school district tax measure, a hotel tax increase, state bonds and a recent gas tax increase. We have hit our limit and should not be increasing taxes any further. -----	28%	26%	29%	12%	6%	53%
[ ]b. <b>(T) (WASTE W/ PENSIONS)</b> Instead of pushing more tax measures, the City should just cut unnecessary spending, including expensive pensions and healthcare benefits for existing and retired City employees. We don't need to raise taxes again, allowing bureaucrats and politicians to waste our tax dollars. -----	31%	26%	23%	15%	5%	57%
[ ]c. <b>(GATEWAY)</b> This measure is simply a way to ensure recreational cannabis businesses become legal in Milpitas – why tax an industry that's not eventually going to be allowed in the first place? We should oppose any attempt to allow these kinds of businesses in our community. -----	26%	23%	26%	19%	6%	49%
<b>(SPLIT SAMPLE A ONLY)</b>						
[ ]d. <b>(TOO SOON)</b> Marijuana only recently became legal – and it's still not legal at the federal level. We should wait and see what happens over the next few years before we start making big plans to spend tax revenues from an industry that's still developing. -----	27%	25%	27%	15%	5%	52%
[ ]e. <b>(HURT BUSINESS)</b> Taxing cannabis will force small cannabis businessowners to move to other cities without such high taxes, depriving us of jobs and future tax revenue. -----	17%	30%	26%	21%	6%	47%



	<u>VERY CONV</u>	<u>SMWT CONV</u>	<u>NOT CONV</u>	<u>DON'T BELIEVE</u>	<u>(DON'T READ) DK/NA</u>	<u>VERY/ SMWT</u>
<b>(SPLIT SAMPLE B ONLY)</b>						
[ ]f. <b>(WRONG ORDER)</b> City Council still hasn't decided what types of cannabis businesses to allow – or whether they'll be allowed in the city at all. It doesn't make sense to enact a tax before we even have regulations in place. -----	28%	38%	16%	11%	7%	66%
[ ]g. <b>(BLACK MARKET)</b> Taxing marijuana will only encourage more suppliers to stay in the illegal, unregulated and untaxed black market, increasing crime and endangering public health. -----	23%	25%	28%	19%	5%	48%

**(RESUME ASKING ALL RESPONDENTS)**

9. Now let me ask you one last time about the City of Milpitas Cannabis Tax Measure that would provide funding for general city services by taxing cannabis businesses at the maximum rates of 10 dollars per canopy square foot for cultivation, 10 percent of gross receipts for retail cannabis businesses, and 6 percent for all other cannabis businesses. If there were an election today, do you think you would vote “yes” in favor of if or “no” to oppose it? **(IF YES/NO, ASK: “Is that definitely or probably yes/no?”)** **(IF UNDECIDED, ASK: Are you leaning toward voting yes or leaning toward voting no?)**

**TOTAL YES ----- 59%**  
 Definitely yes----- 37%  
 Probably yes----- 15%  
 Undecided, lean yes-----7%

**TOTAL NO----- 34%**  
 Undecided, lean no-----2%  
 Probably no-----8%  
 Definitely no----- 24%

**(DON'T READ) DK/NA -----7%**

**MY LAST QUESTIONS ARE FOR STATISTICAL PURPOSES ONLY.**

10. With which racial or ethnic group do you identify yourself: Latino or Hispanic, African-American or Black, White or Caucasian, Asian or Pacific Islander, or some other ethnic or racial background? **(IF ASIAN OR PACIFIC ISLANDER, ASK: “Are you Vietnamese, Chinese, South Asian or East Indian, or of some other Asian background?”)**

- Latino/Hispanic ----- 11%
- African-American/Black-----1%
- Caucasian/White-----29%
- Vietnamese-----16%
- Chinese -----12%
- South Asian/East Indian -----7%
- Other Non-Asian/Pacific Islander -----2%
- Other Asian/Pacific Islander-----7%
- (DON'T READ) Mixed race-----3%**
- (DON'T READ) DK/NA/Refused ----- 12%**

11. Next, what was the last level of school you completed?

- High school graduate or less----- 10%
- Some college/vocational school ----- 23%
- College (4 years)-----37%
- Post-graduate work ----- 25%
- (DON'T READ) DK/NA/REFUSED ---5%**

**THANK AND TERMINATE**

**GENDER (BY OBSERVATION):**  
 Male----- 48 %  
 Female----- 51 %  
 Prefer not to say -----1 %

**PARTY REGISTRATION:**  
 Democrat----- 46 %  
 Republican ----- 20 %  
 No Party Preference----- 31 %  
 Other-----3 %

**LOI (BY OBSERVATION):**  
 English----- 83 %  
 Spanish -----2 %  
 Chinese -----7 %  
 Vietnamese-----7 %

**MODE:**  
 Phone ----- 45 %  
 Online----- 55 %

**FLAGS**

P12----- 38 %  
 G12 ----- 70 %  
 P14----- 41 %  
 G14 ----- 63 %  
 P16----- 65 %  
 G16 ----- 91 %  
 BLANK ----- 5 %

**VOTE BY MAIL**

1----- 14 %  
 2----- 11 %  
 3+ ----- 51 %  
 Blank ----- 23 %

**PERMANENT ABSENTEE**

Yes----- 78 %  
 No----- 22 %

**AGE**

18-29----- 11 %  
 30-39----- 11 %  
 40-49----- 16 %  
 50-54----- 10 %  
 55-59----- 13 %  
 60-64----- 10 %  
 65-74----- 18 %  
 75+ ----- 10 %  
 Blank-----1 %

**HOUSEHOLD PARTY TYPE**

Dem 1 ----- 24 %  
 Dem 2+ ----- 12 %  
 Rep 1 -----9 %  
 Rep 2+ -----5 %  
 Ind 1+----- 18 %  
 Mix----- 32 %