



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Tom Manheim

SUBJECT: SURVEY OF POTENTIAL
BALLOT MEASURES

DATE: July 23, 2010

Approved

Date

7/23/10

RECOMMENDATION

Review results of polling for two potential measures under consideration for the November 2 ballot: 1) quarter-percent Tax on Retail Transactions; and, 2) marijuana business tax.

BACKGROUND

The City has a contract with Fairbanks, Maslin, Maulin, Metz, and Associates (FM3) to conduct public opinion polling. On June 17th, the Administration was directed to conduct polling on a potential quarter-percent *Tax on Retail Transactions* (commonly referred to as a Sales Tax) to be placed on the November 2 ballot. On June 22, the Administration was directed to conduct polling on a potential Marijuana Business Tax

ANALYSIS

Between July 6-11, FM3 conducted a telephone survey of 800 likely voters in the City of San Jose. The survey was conducted in English, Spanish, and Vietnamese. The overall margin of error for the survey results is $\pm 3.5\%$, however, for those questions where split sampling was used, the margin of error rises to 4.9%. Because of the tight timeline necessary to conduct this poll and provide findings to the City Council in time for consideration during its ballot measure discussions, the full report findings cannot be summarized in this memorandum and will be distributed with a supplemental memo by Tuesday, July 27. However, from the initial topline report (attached), it is clear that the survey results reflect strong support for a Marijuana Business Tax and only marginal support for a quarter-cent Sales Tax.

HONORABLE MAYOR AND CITY COUNCIL

Due Date: 7-23-10

Subject: Survey of Potential Ballot Measures

Page 2

The lead consultant from FM3 will review the key findings at the August 3rd City Council meeting.

A handwritten signature in black ink that reads "Tom Manheim". The signature is fluid and cursive, with a long horizontal line extending to the right.

TOM MANHEIM
Communications Director

Attachment

For questions please contact Tom Manheim, Communications Director, at 535-8170.

CITY OF SAN JOSÉ FINANCE MEASURE SURVEY
220-2948-WT
N=800

Time Began _____

Time Ended _____

Minutes _____

Hello, I'm _____ from F-M-Three, 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 San José, and we are only interested in your opinions. **(IF RESPONDENT REPLIES IN SPANISH OR VIETNAMESE, OR DESIRES TO SPEAK ONE OF THESE LANGUAGES, FOLLOW THE ESTABLISHED PROCEDURE FOR HANDING 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.**

1. Before we begin, could you please tell me if I have reached you on a cell phone? **(IF YES: "Are you in a place where you can talk safely?")**

Yes, cell and in safe place----- 17%
 Yes, cell not in safe place ----- **TERMINATE**
 No, not on cell ----- 83%
(DON'T READ) DK/NA/REFUSED----- TERMINATE

2. In November there will be a general election for Governor, the state legislators, and state and local ballot measures. I know it is a long way off, but how likely are you to actually vote in this election? Will you definitely vote, probably vote, are the chances 50-50 that you will vote, will you probably not vote, or will you definitely not vote?

Definitely vote ----- 82%
 Probably vote----- 15%
 50-50 ----- 4%
 Probably not vote----- **TERMINATE**
 Definitely not vote ----- **TERMINATE**
(DON'T KNOW/NA) ----- TERMINATE

NOW I WOULD LIKE TO ASK YOU ABOUT TWO DIFFERENT MEASURES THAT MAY APPEAR ON AN UPCOMING CITY OF SAN JOSÉ BALLOT IN A FUTURE ELECTION. PLEASE LISTEN CAREFULLY TO THE DESCRIPTION OF EACH ONE, AND THEN TELL ME HOW YOU THINK YOU MIGHT VOTE.

ROTATION INSTRUCTIONS:
 • **SPLIT SAMPLE C, READ Q3 THEN Q4 THEN Q5**
 • **SPLIT SAMPLE D, READ Q4 THEN Q3 THEN Q5**

3. **(SPLIT SAMPLE C ONLY)** The first measure may read as follows:
(SPLIT SAMPLE D ONLY) Next, let me ask you about a different measure that may also appear on a future ballot in addition to the one I just described. It may read as follows:

(RESUME ASKING ALL RESPONDENTS)

THE CITY OF SAN JOSÉ VITAL CITY SERVICES MEASURE. In order to provide funding for essential City services such as police, fire, emergency response, street maintenance, pothole repair, parks, libraries, and youth and senior programs, shall an ordinance be adopted to enact a one-quarter percent tax on retail transactions in San José; **(SPLIT SAMPLE A:** subject to existing independent financial audits, with all revenue controlled by the City) **(SPLIT SAMPLE B:** for a 15-year period and subject to existing independent financial audits, with all revenue controlled by the City)?

If there were an election today, do you think you would vote “yes” in favor of this measure or “no” to oppose it? **(IF YES/NO, ASK:** “Is that definitely or just probably?”) **(IF UNDECIDED, ASK:** “Do you lean toward voting yes or no?”)

| | (N=400) NO SUNSET SPLIT A | (N=400) W/ SUNSET SPLIT B | (N=400) ASKED 1ST SPLIT C | (N=400) ASKED 2ND SPLIT D | (N=800) TOTAL |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|------------------|
| TOTAL YES ----- | 43% | 42% | 46% | 39% | 43% |
| Definitely yes ----- | 20% | 20% | 22% | 18% | 20% |
| Probably yes ----- | 15% | 14% | 16% | 12% | 14% |
| Undecided, lean yes ----- | 8% | 9% | 8% | 9% | 8% |
| TOTAL NO ----- | 51% | 52% | 46% | 57% | 51% |
| Undecided, lean no ----- | 6% | 7% | 7% | 6% | 7% |
| Probably no ----- | 11% | 10% | 11% | 10% | 11% |
| Definitely no ----- | 33% | 34% | 27% | 40% | 34% |
| (DON'T READ) DK/NA ----- | 7% | 6% | 8% | 4% | 6% |

| | (N=200) NO SUNSET ASKED 1ST SPLIT A/C | (N=200) NO SUNSET ASKED 2ND SPLIT A/D | (N=200) W/ SUNSET ASKED 1ST SPLIT B/C | (N=200) W/ SUNSET ASKED 2ND SPLIT B/D | (N=800) TOTAL |
|---------------------------------|--|--|--|--|------------------|
| TOTAL YES ----- | 46% | 39% | 46% | 39% | 43% |
| Definitely yes ----- | 24% | 16% | 20% | 20% | 20% |
| Probably yes ----- | 13% | 16% | 20% | 8% | 14% |
| Undecided, lean yes ----- | 9% | 7% | 7% | 10% | 8% |
| TOTAL NO ----- | 45% | 57% | 47% | 57% | 51% |
| Undecided, lean no ----- | 7% | 5% | 7% | 7% | 7% |
| Probably no ----- | 11% | 11% | 11% | 9% | 11% |
| Definitely no ----- | 26% | 40% | 28% | 41% | 34% |
| (DON'T READ) DK/NA ----- | 9% | 4% | 8% | 5% | 6% |

4. **(SPLIT SAMPLE D ONLY)** The first measure may read as follows:
(SPLIT SAMPLE C ONLY) Next, let me ask you about a different measure that may also appear on a future ballot in addition to the one I just described. It may read as follows:

(RESUME ASKING ALL RESPONDENTS)

THE CITY OF SAN JOSÉ MARIJUANA BUSINESS TAX AND VITAL CITY SERVICES MEASURE. In order to provide funding for essential City services such as police, fire, emergency response, street maintenance, pothole repair, parks, libraries, and youth and senior programs, shall an ordinance be adopted to impose a tax at the rate of **(SPLIT SAMPLE A: three percent) (SPLIT SAMPLE B: ten percent)** of gross receipts on marijuana businesses in San José; subject to existing independent financial audits, with all revenue controlled by the City?

If there were an election today, do you think you would vote “yes” in favor of this measure or “no” to oppose it? **(IF YES/NO, ASK: “Is that definitely or just probably?”)** **(IF UNDECIDED, ASK: “Do you lean toward voting yes or no?”)**

| | (N=400) 3% TAX ASKED 2ND SPLIT A | (N=400) 3% TAX ASKED 1ST SPLIT B | (N=400) 10% TAX ASKED 2ND SPLIT C | (N=400) 10% TAX ASKED 1ST SPLIT D | (N=800) TOTAL |
|---------------------------------|---|---|--|--|------------------|
| TOTAL YES ----- | 64% | 67% | 66% | 65% | 66% |
| Definitely yes ----- | 39% | 42% | 40% | 41% | 40% |
| Probably yes ----- | 19% | 18% | 18% | 18% | 18% |
| Undecided, lean yes ----- | 7% | 7% | 8% | 6% | 7% |
| TOTAL NO ----- | 27% | 27% | 28% | 26% | 27% |
| Undecided, lean no ----- | 4% | 4% | 3% | 4% | 4% |
| Probably no ----- | 4% | 6% | 6% | 5% | 5% |
| Definitely no ----- | 19% | 17% | 19% | 17% | 18% |
| (DON'T READ) DK/NA ----- | 9% | 6% | 6% | 9% | 7% |

| | (N=200) 3% TAX ASKED 2ND SPLIT A/C | (N=200) 3% TAX ASKED 1ST SPLIT A/D | (N=200) 10% TAX ASKED 2ND SPLIT B/C | (N=200) 10% TAX ASKED 1ST SPLIT B/D | (N=800) TOTAL |
|---------------------------------|---|---|--|--|------------------|
| TOTAL YES ----- | 65% | 63% | 67% | 67% | 66% |
| Definitely yes ----- | 41% | 36% | 39% | 45% | 40% |
| Probably yes ----- | 17% | 21% | 20% | 15% | 18% |
| Undecided, lean yes ----- | 7% | 6% | 9% | 6% | 7% |
| TOTAL NO ----- | 29% | 25% | 27% | 27% | 27% |
| Undecided, lean no ----- | 4% | 3% | 2% | 5% | 4% |
| Probably no ----- | 4% | 5% | 8% | 5% | 5% |
| Definitely no ----- | 21% | 17% | 17% | 18% | 18% |
| (DON'T READ) DK/NA ----- | 6% | 12% | 5% | 6% | 7% |

5. Next, both of these measures – [] the one-quarter percent sales tax measure, and [] the marijuana business tax measure – could be on the ballot at the same time. If that were the case and the election were today, would you vote for both, just one, or neither of these measures? **(IF JUST ONE, ASK: Which one?)**

Vote for both ----- 33%
 Only the one-quarter percent sales tax measure----- 11%
 Only the marijuana business tax measure----- 29%
 Vote for neither ----- 21%
(DON'T READ) DK/NA ----- 6%

6. Next, these two measures may also be on the ballot at the same time as two other local ballot measures. I will just read you short summaries of each measure, including the two measures we were just discussing. After I read each one, please tell me whether you would you vote yes to support it, or no to oppose it. **(IF YES/NO, ASK:)** "Is that definitely **(YES/NO)** or just probably?" **(IF UNDECIDED, ASK: "Well, do you lean towards voting yes or no?")**

| | DEF <u>YES</u> | PROB <u>YES</u> | LEAN <u>YES</u> | LEAN <u>NO</u> | PROB <u>NO</u> | DEF <u>NO</u> | (DK/ <u>NA</u>) |
|--|-------------------|--------------------|--------------------|-------------------|-------------------|------------------|---------------------|
| (ALWAYS ASK "a" AND "b" FIRST AND IN ORDER) | | | | | | | |
| a. A measure by the Santa Clara Valley Transportation Authority to fund local street and road repair and congestion relief by establishing a <u>10 dollar annual vehicle registration fee.</u> ----- | 17% | 21% | 10% | 8% | 15% | 25% | 4% |
| b. A measure to prevent elimination of health insurance coverage for low-income children by establishing a <u>29 dollar annual parcel tax</u> in Santa Clara County.----- | 17% | 18% | 11% | 6% | 14% | 25% | 9% |

(RANDOMIZE)

| | | | | | | | |
|--|-----|-----|-----|----|-----|-----|----|
| []c. A measure to provide funding for essential City services by establishing a <u>one-quarter percent sales tax</u> in the City of San José.----- | 16% | 16% | 9% | 7% | 15% | 31% | 7% |
| []d. A measure to provide funding for essential City services by imposing a tax of (SPLIT SAMPLE A: three percent) (SPLIT SAMPLE B: ten percent) on marijuana businesses in San José.----- | 34% | 20% | 10% | 5% | 7% | 20% | 5% |

NOW I WOULD LIKE TO ASK YOU SOME ADDITIONAL QUESTIONS SPECIFICALLY ABOUT THE MARIJUANA BUSINESS TAX MEASURE WE WERE PREVIOUSLY DISCUSSING.

7. First, the San José City Council may adopt a series of regulations regarding marijuana businesses in the City, including controlling the cultivation, distribution, consumption, possession and locations of marijuana businesses. If the City Council were to adopt these regulations, would that make you more likely or less likely to support the City of San José marijuana business tax measure we were just discussing, or would it make no difference to you? **(IF MORE/LESS, ASK: "Is that much MORE/LESS likely or just somewhat?")**

Much more likely ----- 27%
 Somewhat more likely----- 17%
 No difference ----- 34%
 Somewhat less likely ----- 4%
 Much less likely ----- 13%
(DON'T READ) DK/NA ----- 4%

8. Next, in November of this year there will be a statewide ballot measure to legalize the sale of recreational marijuana. If this statewide measure passes, the potential City of San José marijuana business tax measure we have been discussing would apply to marijuana sold both for medical and recreational use. Knowing this, would you be more likely or less likely to support the City of San José marijuana business tax measure or would it make no difference to you? **(IF MORE/LESS, ASK: "Is that much MORE/LESS likely or just somewhat?")**

Much more likely ----- 25%
 Somewhat more likely----- 19%
 No difference ----- 29%
 Somewhat less likely ----- 6%
 Much less likely ----- 17%
(DON'T READ) DK/NA ----- 4%

NOW I WOULD LIKE TO ASK YOU SOME ADDITIONAL QUESTIONS SPECIFICALLY ABOUT THE ONE-QUARTER PERCENT SALES TAX WE WERE PREVIOUSLY DISCUSSING.

(SPLIT SAMPLE A ONLY)

9. First, does knowing that this one-quarter percent sales tax to protect and maintain essential City services like police patrols, fire protection, pothole repair, parks, libraries, and youth and senior programs does not expire make you more likely or less likely to support the measure, or does it make no difference to you? **(IF MORE/LESS, ASK: "Is that much MORE/LESS likely or just somewhat?")**

Much more likely ----- 13%
 Somewhat more likely----- 13%
 No difference ----- 35%
 Somewhat less likely ----- 14%
 Much less likely ----- 24%
(DON'T READ) DK/NA ----- 2%

(SPLIT SAMPLE B ONLY)

10. First, does knowing that this one-quarter percent sales tax to protect and maintain essential City services like police patrols, fire protection, pothole repair, parks, libraries, and youth and senior programs expires after 15 years make you more likely or less likely to support the measure, or does it make no difference to you? **(IF MORE/LESS, ASK: "Is that much MORE/LESS likely or just somewhat?")**

Much more likely ----- 15%
 Somewhat more likely----- 17%
 No difference ----- 39%
 Somewhat less likely ----- 8%
 Much less likely ----- 16%
(DON'T READ) DK/NA ----- 4%

(RESUME ASKING ALL RESPONDENTS)

11. Next, let me provide you with some additional background information about this measure. Compensation for many – but not all – City employees was reduced this year by 10 percent to help address the City's budget deficit. Knowing this, would you be more likely or less likely to support a one-quarter percent sales tax to protect and maintain essential City services like police patrols, fire protection, pothole repair, parks, libraries, and youth and senior programs, or would it make no difference to you? **(IF MORE/LESS, ASK: "Is that much MORE/LESS likely or just somewhat?")**

Much more likely ----- 17%
 Somewhat more likely----- 17%
 No difference ----- 38%
 Somewhat less likely ----- 7%
 Much less likely ----- 15%
(DON'T READ) DK/NA ----- 5%

12. Now what if compensation for all City employees were to be reduced by 10 percent this year? In that case, would you be more likely or less likely to support a one-quarter percent sales tax measure or would it make no difference to you? **(IF MORE/LESS, ASK: "Is that much MORE/LESS likely or just somewhat?")**

Much more likely ----- 15%
 Somewhat more likely----- 17%
 No difference ----- 42%
 Somewhat less likely ----- 7%
 Much less likely ----- 13%
(DON'T READ) DK/NA ----- 6%

NOW LET ME GIVE YOU SOME MORE INFORMATION ABOUT THIS YEAR'S CITY BUDGET. OVER THE PAST 8 YEARS, THE CITY HAS FACED A SERIES OF BUDGET DEFICITS. IN ORDER TO BALANCE THE BUDGET, THE CITY HAS IMPLEMENTED OVER 565 MILLION DOLLARS IN BUDGET REDUCTIONS – ELIMINATING OR REDUCING A VARIETY OF CITY SERVICES, AND CUTTING MORE THAN 20 PERCENT OF THE CITY'S WORKFORCE. HOWEVER, THE CITY STILL FACES A NEARLY 41 MILLION DOLLAR BUDGET SHORTFALL IN NEXT YEAR'S BUDGET.

NOW I WOULD LIKE TO ASK YOU A FEW MORE QUESTIONS ABOUT THE FIRST POTENTIAL BALLOT MEASURE I MENTIONED EARLIER,

(SPLIT SAMPLE C ONLY: A MEASURE ENACTING A ONE-QUARTER PERCENT SALES TAX IN ORDER TO PROVIDE FUNDING FOR ESSENTIAL CITY SERVICES LIKE POLICE, FIRE, EMERGENCY RESPONSE, POTHOLE REPAIR, PARKS, LIBRARIES, AND YOUTH AND SENIOR PROGRAMS.)

(SPLIT SAMPLE D ONLY: A MEASURE TO IMPOSE A TAX OF (SPLIT SAMPLE A: THREE PERCENT) (SPLIT SAMPLE B: TEN PERCENT) ON MARIJUANA BUSINESSES IN SAN JOSÉ IN ORDER TO PROVIDE FUNDING FOR ESSENTIAL CITY SERVICES LIKE POLICE, FIRE, EMERGENCY RESPONSE, POTHOLE REPAIR, PARKS, LIBRARIES, AND YOUTH AND SENIOR PROGRAMS.)

ROTATION INSTRUCTIONS:

- SPLIT SAMPLE C, READ Q13-Q16, THEN START WITH INTRO BOX BEFORE Q21
- SPLIT SAMPLE D, READ Q17-Q20, THEN START WITH INTRO BOX BEFORE Q21

13. First, I am going to read you 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 support such a 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>(DK/NA)</u> |
|---|-----------------------|-----------------------|----------------------|--------------------------|----------------|
| []a. (SERVICE CUTS) San José is facing several years of major budget deficits, including a 41 million dollar deficit next year. Without additional revenue the City could be forced to make deep cuts to essential City services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. ----- | 22% | 43% | 24% | 7% | 3% |
| []b. (LOCAL CONTROL) The State Legislature has already taken billions of taxpayer dollars from local governments in recent years, forcing massive cuts in essential City services in places like San José. However, money raised by this local measure would be controlled by the City, and protected from the state taking it away. ----- | 23% | 35% | 29% | 8% | 5% |

VERY CONV. SMWT CONV. NOT CONV. DON'T BELIEVE (DK/NA)

[]c. **(ACCOUNTABILITY)** All funds raised by this measure will be subject to existing independent financial audits and full public review of all spending, to ensure that the money is spent properly. ----- 25% ----- 34% ----- 29% ----- 8% ----- 3%

[]d. **(AMOUNT)** This measure would only raise the sales tax 25 cents for every 100 dollars purchased. This is a small price to pay to maintain funding for essential city services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. ----- 29% ----- 34% ----- 26% ----- 9% ----- 3%

14. Now that you have heard more about it, let me ask you again about the measure that would enact a one-quarter percent sales tax in order to provide funding for essential City services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. Do you think you would vote "yes" in favor of this measure or "no" to oppose it? **(IF YES/NO, ASK: "Is that definitely or just probably?") (IF UNDECIDED, DON'T KNOW, NO ANSWER, ASK: "Do you lean toward voting yes or no?")**

TOTAL YES -----52%
 Definitely yes ----- 20%
 Probably yes ----- 22%
 Undecided, lean yes ----- 10%

TOTAL NO -----43%
 Undecided, lean no ----- 7%
 Probably no ----- 11%
 Definitely no ----- 26%

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

15. Next, I am going to read you 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 oppose such a measure. If you do not believe the statement, please tell me that too. **(RANDOMIZE)**

VERY CONV. SMWT CONV. NOT CONV. DON'T BELIEVE (DK/NA)

[]a. **(ECONOMY)** With more people getting laid-off every day, the worst economy in a generation, and the state sales tax recently increasing, this is not the right time to raise taxes. ----- 38% ----- 28% ----- 28% ----- 5% ----- 1%

[]b. **(WASTE)** The City should cut wasteful spending and reduce city bureaucracy instead of raising taxes on hard-working San José residents. ----- 38% ----- 34% ----- 20% ----- 4% ----- 3%

VERY SMWT NOT DON'T
CONV. CONV. CONV. BELIEVE (DK/NA)

[]c. **(LOCAL COMPETITION)** Increasing our sales tax will drive shoppers out of the city to areas with lower sales tax, hurting both the City budget and small business struggling to stay afloat in the current economy. -----28% ----- 30%-----29% ----- 11%-----2%

[]d. **(COMPENSATION REDUCTIONS)** Because the majority of City employees have not reduced their compensation by 10 percent this year, this measure will simply raise taxes to pay for excessive government employee salaries and pensions. -----26% ----- 33%-----26% ----- 9% -----5%

16. Now that you have heard more about it, let me ask you again about the measure that would enact a one-quarter percent sales tax in order to provide funding for essential City services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. Do you think you would you vote "yes" in favor of this measure or "no" to oppose it? **(IF YES/NO, ASK: "Is that definitely or just probably?") (IF UNDECIDED, DON'T KNOW, NO ANSWER, ASK: "Do you lean toward voting yes or no?")**

TOTAL YES -----48%
 Definitely yes ----- 19%
 Probably yes----- 20%
 Undecided, lean yes----- 9%

TOTAL NO-----46%
 Undecided, lean no ----- 8%
 Probably no ----- 13%
 Definitely no ----- 26%

(DON'T READ) DK/NA ----- 6%

ROTATION INSTRUCTIONS:

- SPLIT SAMPLE C, READ Q13-Q16, THEN START WITH INTRO BOX BEFORE Q21
- SPLIT SAMPLE D, READ Q17-Q20, THEN START WITH INTRO BOX BEFORE Q21

17. First, I am going to read you 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 support such a 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>(DK/NA)</u> |
|--|-----------------------|-----------------------|----------------------|--------------------------|----------------|
| []a. (SERVICE CUTS) San José is facing several years of major budget deficits, including a 41 million dollar deficit next year. Without additional revenue the City could be forced to make deep cuts to essential City services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. ----- | 26% | 38% | 25% | 7% | 4% |
| []b. (LOCAL CONTROL) The State Legislature has already taken billions of taxpayer dollars from local governments in recent years, forcing massive cuts in essential City services in places like San José. However, money raised by this local measure would be controlled by the City, and protected from the state taking it away. ----- | 27% | 35% | 28% | 8% | 2% |
| []c. (ACCOUNTABILITY) All funds raised by this measure will be subject to existing independent financial audits and full public review of all spending, to ensure that the money is spent properly. ----- | 25% | 35% | 28% | 9% | 3% |
| []d. (DRUG ENFORCEMENT) This measure would generate badly needed money to pay for essential city services including police services that enforce drug laws and help keep illegal drugs off the streets. ----- | 28% | 32% | 28% | 9% | 3% |

18. Now that you have heard more about it, let me ask you again about the measure that would impose a tax of **(SPLIT SAMPLE A: three percent) (SPLIT SAMPLE B: ten percent)** on marijuana businesses in San José in order to provide funding for essential City services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. Do you think you would you vote "yes" in favor of this measure or "no" to oppose it? **(IF YES/NO, ASK: "Is that definitely or just probably?") (IF UNDECIDED, DON'T KNOW, NO ANSWER, ASK: "Do you lean toward voting yes or no?")**

| | <u>3% TAX</u> <u>SPLIT A</u> | <u>10% TAX</u> <u>SPLIT B</u> | <u>TOTAL</u> |
|-------------------------------------|---------------------------------|----------------------------------|----------------|
| TOTAL YES ----- | 68% | 66% | 67% |
| Definitely yes ----- | 39% | 35% | 37% |
| Probably yes ----- | 22% | 23% | 22% |
| Undecided, lean yes ----- | 7% | 8% | 8% |
| TOTAL NO ----- | 29% | 29% | 29% |
| Undecided, lean no ----- | 3% | 3% | 3% |
| Probably no ----- | 6% | 5% | 5% |
| Definitely no ----- | 20% | 21% | 21% |
| (DON'T READ) DK/NA ----- | 3% | 5% | 4% |

19. Next, I am going to read you 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 oppose such a measure. If you do not believe the statement, please tell me that too. **(RANDOMIZE)**

| | <u>VERY</u> <u>CONV.</u> | <u>SMWT</u> <u>CONV.</u> | <u>NOT</u> <u>CONV.</u> | <u>DON'T</u> <u>BELIEVE</u> | <u>(DK/NA)</u> |
|---|-----------------------------|-----------------------------|----------------------------|--------------------------------|----------------|
| []a. (ECONOMY) With more people getting laid-off every day, the worst economy in a generation, and the state sales tax recently increasing, this is not the right time to raise taxes. ----- | 30% | 32% | 31% | 6% | 1% |
| []b. (WASTE) The City should cut wasteful spending and reduce city bureaucracy instead of raising taxes on hard-working San José residents. ----- | 40% | 29% | 24% | 5% | 2% |
| []c. (MEDICAL USE) This measure would unfairly tax businesses that provide medical marijuana used to ease the pain and suffering of sick patients. We should not be taxing medicine that people need to treat themselves. ----- | 27% | 27% | 32% | 9% | 5% |
| []d. (DISINGENUOUS) Medical marijuana businesses are a sham to allow the illegal sale of marijuana. We should not be legitimizing these illegal businesses by taxing them. ----- | 19% | 20% | 39% | 17% | 5% |

20. Now that you have heard more about it, let me ask you again about the measure that would impose a tax of **(SPLIT SAMPLE A: three percent) (SPLIT SAMPLE B: ten percent)** on marijuana businesses in San José in order to provide funding for essential City services like police, fire, emergency response, pothole repair, parks, libraries, and youth and senior programs. Do you think you would vote "yes" in favor of this measure or "no" to oppose it? **(IF YES/NO, ASK: "Is that definitely or just probably?") (IF UNDECIDED, DON'T KNOW, NO ANSWER, ASK: "Do you lean toward voting yes or no?")**

| | <u>3% TAX</u> <u>SPLIT A</u> | <u>10% TAX</u> <u>SPLIT B</u> | <u>TOTAL</u> |
|-------------------------------------|---------------------------------|----------------------------------|----------------|
| TOTAL YES ----- | 67% | 65% | 66% |
| Definitely yes ----- | 40% | 38% | 39% |
| Probably yes ----- | 19% | 20% | 19% |
| Undecided, lean yes ----- | 8% | 8% | 8% |
| TOTAL NO ----- | 30% | 30% | 30% |
| Undecided, lean no ----- | 3% | 3% | 3% |
| Probably no ----- | 6% | 6% | 6% |
| Definitely no ----- | 21% | 21% | 21% |
| (DON'T READ) DK/NA ----- | 3% | 5% | 4% |

(RESUME ASKING ALL RESPONDENTS)

**NOW I WOULD LIKE TO ASK YOU A FEW QUESTIONS ABOUT A DIFFERENT SUBJECT,
THE SAN JOSÉ INTERNATIONAL AIRPORT.**

21. **(T)** First, over the past year, have you taken any airplane flights that departed from or arrived at San José International Airport? **(IF YES, ASK: "About how many was that?" (READ PROMPTS IF NECESSARY))**

| | |
|---------------------------------|-----------|
| No flights ----- | 52% |
| 1 to 3 ----- | 34% |
| 4 to 5 ----- | 7% |
| 6 to 9 ----- | 4% |
| Ten or more ----- | 2% |
| (DON'T READ) DK/NA ----- | 0% |

22. Next, over the past year, have you taken any airplane flights that departed from or arrived at any other airports in the Bay Area? **(IF YES, ASK: "What other airports?") (ACCEPT MULTIPLE RESPONSES)**

| | |
|--|-----------|
| No flights ----- | 67% |
| Yes, San Francisco International Airport ----- | 28% |
| Yes, Oakland International Airport ----- | 4% |
| Yes, Other ----- | 1% |
| (DON'T READ) DK/NA ----- | 1% |

(ASK Q23 ONLY IF CODES 2-4 IN Q22)

23. Why did you use another airport instead of San José's? **(RANDOMIZE AND READ THE LIST OF THE FOUR BELOW OPTIONS; ACCEPT MULTIPLE RESPONSES.)**

- Convenience----- 19%
- Cost----- 32%
- Flight schedules----- 29%
- Flight destinations ----- 36%
- (DON'T READ)** Other----- 11%
- (DON'T READ)** DK/NA ----- 1%

(WRITE VERBATIM RESPONSES FOR Q23 CODE 5 BELOW.)

(ASK Q24 ONLY IF CODES 2-5 IN Q21 OR CODES 2-4 IN Q22)

24. When you regularly fly do you fly mostly for business, mostly for vacation or pleasure, or a mixture of both?

- Mostly for business ----- 9%
- Mostly for vacation or pleasure ----- 53%
- Mixture of both ----- 33%
- (DON'T READ)** Don't regularly fly----- 1%
- (DON'T READ)** DK/NA ----- 4%

(RESUME ASKING ALL RESPONDENTS)

25. Have you seen, heard or read anything recently about improvements to the San José International Airport? **(IF YES, ASK: "Have you heard a great deal or just a little about it?")**

- Yes, a great deal ----- 42%
- Yes, a little ----- 33%
- No, nothing at all ----- 17%
- (DON'T READ)** DK/NA ----- 7%

HERE ARE MY FINAL QUESTIONS. THEY ARE JUST FOR STATISTICAL PURPOSES.

26. About how long have you lived in San José? **(READ LIST)**

- Ten years or less ----- 17%
- 11 to 20 years ----- 23%
- 21 to 30 years ----- 20%
- 31 to 40 years ----- 15%
- 41 years or more----- 24%
- (DON'T READ)** Don't know/Refused----- 1%

27. **(T)** Do you live in a single-residence detached home, or do you live in a multi-family apartment, mobile home park, or condo building?

- Single family detached house ----- 80%
- Multi-family apt/condo ----- 17%
- Mobile home park ----- 2%
- (DON'T READ)** Don't know/Refused----- 1%

28. (T) Do you own or rent the house or apartment where you live?

Own ----- 78%
 Rent ----- 19%
 (DON'T READ) Don't know/Refused----- 3%

29. (T) Are there any children under the age of 18 living in your household?

Yes ----- 30%
 No ----- 69%
 (DK/NA)----- 1%

30. (T) What was the last level of school you completed?

Grades 1-8 ----- 2%
 Grades 9-11----- 2%
 High school graduate (12)----- 14%
 Community college/
 Vocational school ----- 11%
 Less than 4 years of college ----- 17%
 College graduate (4 year college) ----- 37%
 Post-graduate/
 Professional school----- 15%
 (DON'T READ) DK/NA/Refused ----- 2%

31. (T) Please stop me when I come to the category that best describes the ethnic or racial group with which you identify yourself. Is it....?

Hispanic/Latino----- 15%
 African-American ----- 2%
 Asian/Pacific Islander----- 18%
 Caucasian/White----- 54%
 Native American/Indian ----- 1%
 Some other group or identification----- 5%
 (DON'T READ) Refused----- 5%

32. (T) In what year were you born?

1992-1986 (18-24)----- 5%
 1985-1981 (25-29)----- 5%
 1980-1976 (30-34)----- 6%
 1975-1971 (35-39)----- 7%
 1970-1966 (40-44)----- 10%
 1965-1961 (45-49)----- 10%
 1960-1956 (50-54)----- 10%
 1955-1951 (55-59)----- 12%
 1950-1946 (60-64)----- 11%
 1945-1936 (65-74)----- 11%
 1935 or earlier (75 & over) ----- 10%
 (DON'T READ) DK/Refused ----- 3%

33. (T) I don't need to know the exact amount but I'm going to read you some categories for household income. Please stop me when I read the category for the total combined income for all people in your household before taxes in 2009?

\$30,000 and under ----- 9%
 \$30,001 - \$60,000 ----- 18%
 \$60,001 - \$75,000 ----- 13%
 \$75,001 - \$100,000 ----- 13%
 \$100,001 - \$150,000 ----- 10%
 More than \$150,000 ----- 10%
 (DON'T READ) Refused ----- 28%

THANK AND TERMINATE

GENDER (BY OBSERVATION):

Male ----- 49%
 Female ----- 51%

PARTY REGISTRATION:

Democrat ----- 49%
 Republican ----- 26%
 Decline to State ----- 22%
 Other ----- 3%

Name _____

Phone# _____

Address _____

Date _____

Voter ID# _____

Zip Code _____

Interviewer _____

Cluster # _____

Verified by _____

Page # _____

FLAGS

R03 ----- 65%
 P04 ----- 52%
 G04 ----- 75%
 S05 ----- 65%
 P06 ----- 58%
 G06 ----- 79%
 F08 ----- 79%
 P08 ----- 51%
 G08 ----- 89%
 M09 ----- 55%
 BLANK ----- 6%

VOTE BY MAIL

1 ----- 8%
 2 ----- 9%
 3+ ----- 55%
 Blank ----- 28%

PERMANENT ABSENTEE

Yes ----- 72%
 No ----- 28%

HOUSEHOLD PARTY TYPE

Dem 1 ----- 23%
 Dem 2+ ----- 17%
 Rep 1 ----- 6%
 Rep 2+ ----- 9%
 Ind 1+ ----- 11%
 Mix ----- 34%

CITY COUNCIL DISTRICT

1 ----- 9%
 2 ----- 10%
 3 ----- 8%
 4 ----- 10%
 5 ----- 6%
 6 ----- 13%
 7 ----- 7%
 8 ----- 12%
 9 ----- 13%
 10 ----- 12%

SUPERVISORIAL DISTRICT

1 ----- 27%
 2 ----- 26%
 3 ----- 19%
 4 ----- 26%
 5 ----- 2%