



County of San Diego Grand Jury

Citizen Complaint Form

San Diego County Grand Jury
550 Corporate Center
550 W C Street, Suite 860
San Diego, CA 92101-3518
619-236-2020 Fax 619-338-8127
Email: sdgrandjury@sdcounty.ca.gov

**Please Review Complaint
Guidelines on Reverse Side**

Date 12/19/2023

1. **Who:** (Your Name) Darryl Cotton
Address 6176 Federal Blvd.
City, State, Zip Code San Diego, CA 92114
Telephone 619.954.4447

2. **What:** Subject of Complaint: Briefly state the nature of complaint and the action of what San Diego County department, section agency or official(s) that you believe was illegal or improper.

Check This Box if you are using additional sheets for this question

The City of San Diego adult-use cannabis applications and licenses have not been treated fairly and equitably. When I tried to investigate what I saw as preferential treatment of an application for the 6220 Federal Blvd. dispensary I reached out to my community planning group chair, Mr. Ken Malbrough, through an email. Within two days, Mr. Malbrough had spoken to someone in the Development Services Department or City Council and he responded to me that he would no longer accept any emails from me. I believe the City's behind the scenes handling of these applications are done on a pay-to-play basis, with significant input from attorneys Gina Austin, Jessica McElfresh, Cynthia Morgan-Reed and lobbyist James Bartell. Among othe things, such as violations of the Brown Act, the result of this scheme has been the construction and operation of a marijuana outlet that does not meet SDMC requirements for traffic flow safety as there was **never an engineered traffic analysis performed** based on the proposed use and high impact accidents on Federal Blvd @ Winnett Street are up over 3,000% since it's opening.

3. **When:** Date(s) of Incident 04/05/2018 to current

4. **Where:** Names and addresses of other departments, agencies or officials involved in this complaint. Include dates/types of contact, i.e. phone, letter, personal.

Check This Box if you are using additional sheets for this question

06/11/2018 emails between myself and Ken Malbrough after having spoken to DSD he ceases all communications with me.
07/26/2018 my multi-party email to DSD requesting information on the 6220 Federal CUP application.
12/06/2018 Planning Commission Appeal Hearing @ page 31 Malbrough submits a blank Planning Group Distribution Form as proof there was a community planning group presentation, vote and approval.
12/06/2018 Planning Commission Hearing Item 4 @ 2:17:09 where Robert Robinson speaks on behalf of the approval of 6220. Robert's Broadway Heights Community Planning Group does not even encompass the project at this location.
12/06/2018 Planning Commission Hearing Item 4 @ 2:19:01 Ken Malbrough speaks on behalf of Encanto Neighborhood Planning Group's support of 6220 citing "when we approved that" does not support that with his signed vote Distribution Form.
07/31/2019 My Story of Setbacks shows, among other things, not one but two licensed child care facilities being located within 1,000 feet of the proposed dispensary.

5. **Why/How:** Attach pertinent documents and correspondence with dates.

Print Name: Darryl Cotton