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To: Members of Council; Residents of Gahanna CC: Mayor Jadwin; City Attorney Priya Tamilarasan

Council Clerk Jeremy VanMeter

From: Councilwoman Merisa Bowers, At-large

Re: KBC Advisors & Velocis Information, ORD 0030-2025

Date: July 7, 2025

This Memorandum is to provide information regarding ORD 0030-2025, which is scheduled for its second reading and vote on adoption on Monday, July 7, 2025.

I became aware of this information after the last Committee of the Whole meeting on June 23, 2025 when this ordinance was discussed.

- 1. KBC Advisors and Velocis entities are being sued by the city of Bee Cave, Texas for alleged fraud and misrepresentation related to a development similar to what is proposed for Gahanna's Innovation District.
 - <u>City of Bee Cave's 5th Amended Petition & Application for Temporary and Permanent Injunctive Relief</u>
 - Bee City alleges that KBC and Velocis participated in restricting information to the City Council of Bee Cave (see Introduction at pages 2-3), utilized shell entities to evade liability and accountability (see Paragraphs 32-34), and violated the Development Agreement through gamesmanship and providing misleading and incomplete information (see Paragraphs 41 - 48).
 - While purported to be a mixed-use project during Development Agreement negotiations, the ultimate facility was an Amazon "Last Mile" warehouse able to accommodate dozens of 18-wheelers per day (see Paragraph 29).
 - The Fifth Amended Petition also alludes to the discovery challenges that the City of Bee Cave has faced during litigation. It appears that multiple times during litigation, the Court has had to order the Defendants to produce records, finding that Velocis has improperly asserted privilege and ordering Velocis to pay the City's attorneys fees incurred in pursuing the records. Order Granting In Part City of Bee Cave's Second Motion to Compel (April 17, 2025).
 - The trial has been <u>rescheduled for February 2026</u>.
- 2. According to <u>this 2021 article</u> from Daniel Geiger reporting for <u>Business Insider</u>, KBC Advisors drives nearly all of Amazon's warehouse development in neighborhoods across the U.S.