

FAQ: I-77 South Managed Lanes Memorandum of Agreement

1. What is this agreement, and why was it created?

At Council's direction, the City Attorney's Office and city staff drafted a formal agreement with NCDOT, called a Memorandum of Agreement (MOA), to put NCDOT's promises about the I-77 South project into a legally binding document. Rather than relying on informal assurances, the goal is to give the city, and the public, a written, enforceable record of exactly what NCDOT has committed to if the project moves forward.

2. Is this agreement legally binding, or just a statement of intent?

It is a binding and enforceable document under North Carolina law. It goes beyond the mitigation measures NCDOT is already legally required to provide, adding a set of additional, voluntary community benefit commitments that NCDOT is offering to include in the Request for Proposals and that will ultimately be part of the final contract with the successful developer.

3. What would the city be agreeing to do?

If approved, the City would support the project and its public-private financing approach, but only on the condition that NCDOT follows through on its community benefit and engagement commitments. The city would also take an active role: sitting on a joint oversight group, assigning staff liaisons to the project, participating in community engagement, and providing city facilities for public meetings.

4. How much money has NCDOT committed to the community?

Two separate pots of funding are included. First, a minimum \$300 million Community Benefit Program, paid for through the project's public-private financing structure rather than city tax dollars. Second, an additional \$100 million in "Bonus Allocation" funding, a category of state transportation funding tied to toll projects, which could support other transportation projects across Mecklenburg County.

5. What would the \$300 million community benefit money actually pay for?

The agreement outlines several categories: multimodal infrastructure (like transit, bike, and pedestrian improvements), environmental mitigation, neighborhood investments, economic mobility programs, and measures aimed at preventing displacement of existing residents. A more detailed, final Community Benefits Plan would be developed jointly by NCDOT, the city, and community representatives, and it would need to be measurable and specific enough to be written into NCDOT's contract with its construction partner.

6. How would these promises actually get locked in, instead of just staying promises on paper?

NCDOT would be required to write these commitments directly into its formal solicitation and contract documents with the private developer that builds and operates the project, called the Comprehensive Agreement, by January 1, 2027. That contract would include specific, measurable targets the developer must meet, a process for reporting on progress, and consequences if the developer falls short. Any significant change to these terms later would require the city's sign-off.

7. Who makes sure NCDOT and its construction partner actually follow through?

A joint working group made up of NCDOT, city staff, and community representatives would oversee the community benefits work on an ongoing basis. That group's job would be to track progress across six priority

areas: Economic Mobility; Neighborhood Stability and Housing; Reconnecting the Corridor; Environment and Green Space; Quality of Life; and Accountability itself.

8. What happens if there's a disagreement, or NCDOT doesn't deliver?

The agreement calls for disagreements to first be worked out between senior level officials from the city and NCDOT. If that doesn't resolve the issue, any resulting legal dispute will be handled through the courts. Separately, the construction contract itself will include specific remedies if the developer fails to meet its obligations.

9. How will residents be able to stay involved and give input going forward?

NCDOT commits to reopening its Community Engagement Center, creating structured opportunities for public input throughout the life of the project, and giving advance notice before major construction work begins in a given area. The detailed Community Benefits Plan would also be developed with community input rather than decided solely by NCDOT and the City.

10. Does this agreement reduce how much land or property NCDOT would need to acquire?

NCDOT commits to continuing to look for ways to reduce the amount of right-of-way (land) the project needs, and to encourage its construction partner to propose designs that minimize property acquisition. This is a commitment to keep pursuing reductions, not a guarantee of a specific, final amount.

11. Does approving this agreement commit new city tax dollars?

No. The agreement does not create any new city spending beyond what has already been committed elsewhere. The community benefit funding comes from NCDOT's project financing, not from the City's budget.