TO: City Council

FROM: Kelly Adams, Assistant City Administrator

DATE: October 27, 2026

SUBJECT: Davis Meeker Garry Oak Update

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1) Recommended Action:

This is a discussion item; no action is requested. Staff seek Council feedback on the cost strategy for retaining the Davis Meeker Garry Oak. Approval for costs beyond the current allocation is scheduled for a future meeting.

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2) Background:

On September 25, 2026, a windstorm with gusts up to 54 mph broke two large limbs from the southwest stem of the Davis Meeker Garry Oak, removing an estimated 32% of the tree's live crown. A Level 2 tree risk assessment by Todd Prager and Associates, rated five out of the ten remaining defects over Old Highway 99 as high risk. The Level 2 Tree Risk Assessment offered three choices with varying amounts of risk: preservation, conversation to a wildlife snag, and full tree removal.

On October 15, 2026, the Historic Preservation Commission voted unanimously (7–0) to pursue Option 1, Tree Retention. The Commission directed staff to secure a new or revised permit from the Washington State Department of Archeological and Historical Preservation (DAHP) for treatment of the Davis Meeker Oak that would maximize structural pruning, keeping the tree alive consistent with option 1.

Attachment A provides a comprehensive update.

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3) Policy Support:

Tumwater Municipal Code (TMC) Chapter 2.62 *Historic Preservation* contains guidance on the role of the Historic Preservation Commission and the regulations for the Historic Register of Places. The TMC is aligned with Washington RCW 84.26.

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4) Alternatives:

- ❑ Request further research and guidance on the treatment.

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5) Fiscal Notes:

Council has so far allocated $105,000. Staff anticipate short term and ongoing costs will exceed the allocation.

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6) Attachments:

A. Memorandum
B. Level 2 Tree Risk Assessment (October 2026)
C. Ordinance O2026-003 *Budget Amendment No. 1* (July 2026)
D. Agreed Order Granting Plaintiff's Second Motion for Partial Summary Judgment, Thurston County Superior Court No. 24-2-01895-34 (July 2026)
E. Order Granting Plaintiff's Motion for Partial Summary Judgment, Thurston County Superior Court No. 24-2-01895-34 (December 2025)
F. Treatment Plan (November 2025)
G. Pruning Plan (October 2026)
H. Resolution R2025-009 *Funding for Mitigation and Maintenance of the Davis Meeker Garry Oak Tree* (April 2025)
I. Department of Archeology and Historic Preservation Permit
J. Level 3 Tree Risk Assessment (February 2025)
K. Emergency Declaration (October 2026)