



# GENERAL LIABILITY CLAIM AGAINST THE CITY OF PORTLAND

\* for damages to persons or property \*

2025000470GL

File Number: \_\_\_\_\_



A claim must be filed with City of Portland Risk Management within 180 days after the occurrence of the incident or event.  
Normal business hours: Monday through Friday, 8:00am to 5:00pm. Closed on official holidays.

Claims received during regular business hours will be recorded on the date received.

Faxed or emailed claims received after business hours will be recorded on the next working day.

Please be sure your claim is against the City of Portland, not another public entity.

Where space is insufficient, please use additional paper and identify information by section number and letter.

Completed forms may be mailed, emailed, faxed, or hand-delivered to:

Risk Management/Liability, 1120 S.W. 5th Ave., Suite 1040, Portland, OR 97204-1912, Ph: 503-823-5101,  
Fax: 503-823-6120 LiabilityClaims@portlandoregon.gov

1. **Claimant** (Circle: Mr. Mrs. Ms. Miss) Sandy McCormack Date of Birth [REDACTED]
  - a. Address 3945 SE 114th Ave City PDX State OR Zip 97266
  - b. Home Phone - Business Telephone - Cell Phone 503.756.4882
  - c. Occupation Teacher d. Marital Status: Single ( ) Married ☒ Divorced or Widowed ( )
  - If married, name of spouse Chris Smitherman
  - d. E-mail address [REDACTED]
2. **If claim involves a vehicle:** a. Year, make and model 2025 Honda Civic
  - b. License Plate Num [REDACTED] Driver's License Number [REDACTED] State OR
  - c. At time of accident, were you (check all that apply) Owner: ☒ Driver ☒ Passenger N/A
  - d. Name and address of owner if different from claimant (1. Above) -
3. **Occurrence or event from which the claim arises:**
  - a. Date 2.19.25 Time 7:15pm Circle AM ☒ PM
  - b. Place (exact and specific location) NE Killingsworth + 39th
  - c. Specify the particular occurrence, event, act, or omission by the City that you believe caused the injury or damage (use additional paper if necessary): see attached
  - d. State how the City of Portland or its employees were at fault: see attached
  - e. Were you on the job at the time of the accident? Yes - No ☒

If yes, what is the name / phone number of employer \_\_\_\_\_




4. **Description:** Describe the injury, property damage or loss so far as is known at the time of this claim. \_\_\_\_\_  
Two Flat tires - both needed to be replaced.  
Both tires were new / <sup>had</sup> no wear - Car was bought 12/24 (new).
5. **\*We are required to report all claims for injuries to Medicare/Medicaid Services\***  
 If you were injured please provide the following: Social Security #: \_\_\_\_\_  
 Medicare/Medicaid Beneficiary? Yes \_\_\_\_\_ No \_\_\_\_\_
6. **Give the name(s) of the City employee(s) and/or City Bureau causing the damage or injury** \_\_\_\_\_  
PBOT
7. **Name and address of any other person injured** \_\_\_\_\_
8. **Name and address of the owner of any damaged property if different from claimant** \_\_\_\_\_
9. **Damages claimed:**
- Amount claimed as of this date: \$ 427.81
  - Estimated amount of future costs: \$ —
  - Total amount claimed: \$ 427.81
  - Basis for computation of amounts claimed (include copies of all bills, invoices, estimates, etc.): \_\_\_\_\_  
Tire replacement cost - receipt attached.
10. **Names, addresses / phone #s of all witnesses** Chris Smitherman  
503.313.0601
11. **Any additional information that might be helpful in considering your claim** \_\_\_\_\_

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM! (ORS 162.085)**

I have carefully read the statements made in this claim, including any attached sheets, and I know them to be true of my own knowledge, except as to those matters stated upon information or belief and to such matters I believe the same to be true. I understand and acknowledge that all statements made in this claim are made to a public servant of the City of Portland, and that the statements are in connection with an application for a benefit from the City of Portland.

Date: 3.2.25

  
 Claimant's Signature

Sandy M' Cormack  
 Print Name

**Specify the particular occurrence, event, act, or omission by the City that you believe caused the injury or damage (use additional paper if necessary):**

On the evening of 2.19.25, 7 pm, we were headed west on Killingsworth on our way to dinner (Feral at 1640 NE Killingsworth). At 39th and Killingsworth we hit a water filled pothole. We tried to avoid the pothole (requiring us to enter the oncoming lane of traffic), but still clipped it. The pothole was/is deep and wide enough that it instantly popped our front tire and put a slowish leak in the rear tire. The rear was flat by morning. Both on the passenger side. We came to a stop at 35th, parked on 35th place and walked briskly to the restaurant for our 7:30 reservation. After dinner we walked back to the car and as we approached we met with 3 other parties, all, oddly, somehow stopped at the 3500 block of Killingsworth, who had also flattened from the pothole. This was sometime in the early 9pm hour. I do not know how many other people that day and evening had the same thing happen. For one brief moment there were 4 cars on the same block, all with flats from the same pothole. At some point that evening someone placed an A-frame barricade in the pothole so others wouldn't also hit it. A mystery good Samaritan. However this means that if you're travelling west on Killingsworth you need to move slightly into eastbound traffic to proceed. We drove by again on the evening of 2.26.25 and the pothole was still there. A friend in the neighborhood said it was still there on the 28th, but we don't have reports on when it was finally filled.

We attempted to fix the flat, but were unable to and needed to call a tow truck. The car was towed back to our house (as the dealership was not accessible for drop off - too late in the evening); we didn't get home until 11:30pm. The next day we needed to have the car towed again to be repaired. The tires were too destroyed to fix and required replacement costing us \$427.81.

**State how the City of Portland or its employees were at fault:**

That this is the responsibility of the City and PBOT is not too tough to square. From [www.portland.gov/transportation/budget/overview](http://www.portland.gov/transportation/budget/overview) I offer you this....

"...Portland's ever-growing transportation maintenance backlog of roughly \$6 billion..."

There is a \$6 Billion maintenance backlog and that there are tire destroying potholes on the streets, is this not the fault of the city? It's terribly unfortunate that for reasons I am not responsible for, PBOT has not kept up on maintaining the infrastructure we pay for. I don't know how this has happened, but it's not on us, tax paying Portlanders.

If you do an internet search using "PBOT maintenance backlog" you can find articles going back over a decade. A decade! The state of roads in this city is absolutely on you, the City. For you, the City, to basically be like, "LOL, y'all know what it's like in these streets, we ain't payin' up" is insane ("**Most pothole claims are not paid.**" your bold by the way & "Drivers have an

obligation to be aware of road conditions at all times and adjust their driving behavior accordingly" - you.) Here's an Oregonian article from 2010(!) talking about PBOT not keeping up with maintenance and a backlog of a mere \$695 million. How it has ballooned to \$6 Billion is beyond me. Again, this is the fault of the City, not mine. If in 2010, there was a near \$700 backlog, this has been a PBOT/City issue for quite a long time.

[https://www.oregonlive.com/portland/2010/05/potholes\\_pose\\_perpetual\\_proble.html](https://www.oregonlive.com/portland/2010/05/potholes_pose_perpetual_proble.html)

We pay our taxes, gladly, for city provided services (is there a tax/fee/levy Portland has voted down in this century?? I'll personally vote for damn near anything because in theory that means a service I/we value will be paid for. In theory.) When the streets are in shambles, which they very much are, this is not even debatable, this is absolutely, unequivocally the fault of the City.



