

November 21, 2016

Dear Members of the Vending Oversight Committee:

We, Matthew Danky and Joshua Barraza, formally submit an appeal of the 2016 food cart review results. We believe the judging process and evaluation is flawed. We served tens of thousands of tacos in our first year of vending and received only glowing reviews (17 five star reviews on Yelp, 48 five star reviews on Facebook, and glowing reviews in local publications like the Isthmus, Capitol Times). We have justifiable confidence in our food and in our concept. The consequences of the low scores El Grito received will devastate our small business in 2017. We will lose more than \$100,000 in revenue. We are asking for reconsideration to allow us to continue to serve on the Mall Concourse in 2017.

In October's meeting of the VOC we highlighted the inconsistencies of the data used in rating the Madison area food carts for 2015 and 2016. Data entry errors from 2015 and 2016 directly reflect the lack of professionalism in the process which livelihoods are determined. These irregularities were only brought to light through our first open records request. After the receipt of the judges' scores, El Grito invested considerable time in studying the criteria, methods and system of evaluation for the food carts. We even created a website <http://madisoncartell.com> so the public can examine the process and results.

After October's meeting, Alder Verveer stated "barring any errors that are discovered before our next meeting, I don't see how we will be able to change the outcome for the upcoming

licensing year.” My second open records request for judges’ scores from years prior to 2015 has not been fulfilled which makes it impossible to meet Mr. Verveer’s request. I am discouraged that the results of previous years are not readily available for perusal. Warren Hansen has not provided us with the adequate information to meet Alder Verveer’s request.

After El Grito was evaluated in 2015 we met with Warren Hansen to discuss the process and our ratings. At that time we expressed concern about a process where a judge is required to only visit 80% of the carts and not 100%. This does not give a fair representation and is an egregious disservice to these small businesses. A differential between 9-16 judges provides an inaccurate sample, especially when you take away the top and bottom scores, which leaves some carts judged by as few as 7 people.

Lastly, the selection of judges poses a serious problem. There is no transparent application process in electing judges. This puts the selection of judges in the hands of one non-elected individual. The individual is then selecting judges who may or may not have the knowledge, experience or expertise to adequately judge the strength and quality of concept and product for Madison area food carts.

There needs to be concrete selection criteria and imposed term limits so that there is a rotation among judges. If many of the same judges visit the carts year after year, favoritism can develop which contributes to skewed data and lack of trust in these results. Currently, there is no evidence that the judges are subject to a conflict of interest policy.

With an increase in competing carts from 48 in 2012 to 60 in 2016, these issues take on greater importance for what is now a large portion of the small business food service community.

Thank you,

Matthew Danky and Joshua Barraza,
Co-proprietors of El Grito Taqueria LLC.