

10/07/18

## The Great Escape

By Ben Roloff

Telling the story of building Sun City (1960-1978) has taken many titles--"Miracle in the Desert" being typical, but journalists from national magazines like Esquire and Look and area newspapers pointed out a flaw or two. Descriptors like: skinflints, tightwads, uncaring, self-indulgent and socially isolated, abounded when from day one our "Pioneers" near unanimously dug in their heels and said "NO! We have raised and educated our children. We have no interest in raising or paying for educating the children of others."

Sun City and Youngtown were not childless, as the age requirement for both communities then was 50 and not 55, and the communities counted 75-100 school-age residents. Those children were near invisible, as local rules made them unwelcome at recreation centers and community events. But children had to be educated by law, and both communities were part of the Peoria School District along with a fast-growing area of Glendale.

By 1974 schools in the Peoria District were bursting at the seams that required double shifts with plans for triple shifts if new schools were not approved. Bonds to fund three new elementary schools and a new high school would be on the ballot in 1974. There was little hope of approval based on a decade of prior experience. Retired voters did just that --vote! And they voted as a block to defeat bonding proposals--over a dozen times in the past decade.

After the 1973 bond defeats, a large "Advisory Committee," from the district formed to proffer advice to the school board and concluded there again was no chance to get funding approval in 1974. Schools taxes were a non-issue, as the Peoria District tax rate was the lowest in the county and less than half that of the second lowest district.

A large percentage of the enrollment growth came from a small area of Glendale--also part of the Peoria District. State law stymied a local idea to sever Glendale, so focus was transferred to a never used loophole in state law to allow portions of a district to withdraw by agreement among registered voters. Reaching consensus by signed petitions gained immediate traction with a diverse collection of organizations. The downside to withdrawal by majority petition would require Sun City and Youngtown to form their own district and to provide at least one school. Tax impact estimates favored the retirement area, as their incredibly low rate would be reduced immediately by additional 75 percent. Peoria and Glendale parents would face an estimated \$65 annual increase on their tax bill to fund the needed schools. Their response was buying ads in local newspapers begging, "Let us go!"

There was no shortage of volunteers to carry petitions door to door and to man posts at commercial centers, banks and church lobbies. Maricopa County's list of registered voters suggested more than 14,000 signatures would be needed to meet the 50% threshold. Response to signing petitions was far from unanimous. A new and vocal group titled the Retirement Community Association Sun City (RCASC) vehemently opposed the petitions. They

contended forming a school district and having a school would attract more families with children, stress the community and lower property values.

The race was on to gather signatures because of a looming July 1 deadline, when all school districts needed an approved budget—even one newly formed. On June 14, 1974 the Peoria School Board received petitions with 18,145 signatures asking for separation. Four days later the board voted unanimously to accept the petitions and to end the relationship between Sun City and Youngtown with the district and reluctantly notified the County Superintendent, who in turn notified the Maricopa County Supervisors to gain their consent. Planning began.

July 2, 1974 the Sun City/Youngtown School District became official; the County School Superintendant appointed three Sun City residents with education backgrounds as the school board until November elections, and work began to approve a budget, set a tax rate, acquire land, lease one or two portable classrooms for younger children, and arrange to pay tuition for junior and senior high residents in another school district. The race was on!

RCASC filed a suit to invalidate the petitions the same day the district formed and posted the requisite bond required for filing and obtained petition copies for verification purposes. Maricopa County employees would verify signatures at a cost of \$4,500. That cost was thought prohibitive and RCASC members and volunteers began the verification process themselves.

Meanwhile, one week after formation, the new school board passed a budget for \$703,000 for the 1974-1975 with \$100,000 for land purchase and \$155,000 for lease/purchase of portable classrooms to house students and teachers. Law required a public hearing on the budget, which was held on July 10 at Mountain View. An overflow crowd alternately cheered and hooted for over two hours and several times had to be gaveled back to order. One board critic was so strident he was challenged to step outside and settle it like a man. In the end, \$7,000 had been pared from the budget.

Counting of signatures by school district employees and RCASC volunteers continued, and already several hundred had been tossed because the signers were not registered voters or for voters signing more than once or for a spouse. The new required signer total was 15,685, and a court hearing to learn the verification results was scheduled for July 15. That got delayed until July 24 at the request of the board's attorney because of the slow verification process. On July 23 the attorney for RCASC asked for a second delay so their volunteers could continue double-checking and a new hearing date was set.

Maricopa County determined that new voter registrations bumped the requisite number of petition signers to 16,358, and after further purging of signatures it looked close. The Sun City-Youngtown School Board met and determined that if petitions stood on August 8, they would acquire land from Webb Corp. east of 99<sup>th</sup> Avenue and west of Sun City Boulevard for the school site. Yet another delay was granted by the judge because RCASC had not finished their verification process, but five days later attorneys for the Peoria School Board and RCASC informed the judge they agreed that valid signatures fell short and the counting stopped. The judge ruled the petitions insufficient and sent the retirement communities back to the Peoria School District effective immediately. That ended the new school district forty-two days after its creation.

Sun City-Youngtown School Board members had one final meeting with several items on the agenda including returning the property at 99<sup>th</sup> and Sun City Boulevard to Del Webb, Corp., who they had convinced to donate the land. School furniture had been purchased and was donated to the Peoria District. The Sun City education tax set at 79 cents/\$1,000 of assessed valuation went back to \$4.29 which would raise \$3,000,000 for Peoria schools.

The story is far from over, but the end came swiftly with a touch of the anticlimactic. In a desperate state of needed classroom space, the Peoria School Board came back with an October referendum asking approval to sell over \$13,000,000 in bonds for a new high school and three elementary schools. Somewhat weary of the fight, Sun City and Youngtown didn't approve either proposal but didn't vote against in such overwhelming percentages. The final tally showed 43% approval for a new high school, but district voters approved the three elementary schools with 52% supporting the proposal and plans began immediately for construction.

Lewis Singer, Sun City activist, was not satisfied with the results and shortly after the election asked the Maricopa County Supervisors to hold up certifying the results of the referendum until he had a chance to examine the ballots, and he also asked for a guarantee from state legislators that they will fix the law and require residents to cast ballots in the precincts in which they live and that poll workers be given a list of all eligible voters. If both demands were not satisfied, Singer claimed he had no recourse but to go to the courts to request blocking the school district from selling the bonds for the approved schools. Singer categorically stated no bond company in the world would sell bonds when their legality was before the courts.

Two weeks after the election Singer made good on his threat and filed suit claiming selling the bonds would cause an unfair tax hike to him and others because the passage of bonds was in doubt. On the same day Singer announced organizing of yet another petition drive for separation of the retirement areas from the school district. As the drive was being organized, a Superior Court judge issued an order to recount the ballots and hold up selling the bonds indefinitely. Singer and a representative of Maricopa County began the recount and estimated it to take two to three days. After that, the process would involve checking the validity of thousands of affidavits of voters swearing they were eligible to vote. Singer estimated that process would take up to an additional three months.

At its November meeting, the school board was advised by their attorney there was nothing to do but wait for the recount and affidavit check results and while also monitoring the status of the second petition drive reported to have over 7,000 signatures the first week.

On November 26, 1974 the Maricopa County Supervisors called a special meeting, and in a great surprise removed Sun City and Youngtown from the Peoria District on a vote of 3-1 with one member absent. The vote came after receiving a request from ten residents from Sun City that the supervisors separate Youngtown and Sun City from Peoria and receiving a second request from ten residents of Peoria asking for the same resolution. Community leaders found a quirk in state law that allowed supervisors to act on such a request. Supervisors received the requests on Friday and the special meeting was held on Monday. Ten residents spoke at the meeting, all favoring separation. After a lengthy debate among themselves, everyone was surprised when supervisors voted to act immediately and hold no large, public meetings. The

supervisors determined the question had needed settling for far too long and that they had the power to make it happen.

At last there was a resolution. Lew Singer immediately dropped his lawsuit, and community residents tried to understand what had happened and how. There was some unrest when wondering how ten residents could accomplish what over 16,000 could not? The great escape was made through a loophole in law that was quickly closed by the legislature. Maricopa County took responsibility for the students by paying their tuition so they could continue their education in Peoria schools. Sun City and Youngtown residents no longer paid any local school tax but were required to make annual token payments to the state general education fund. Property taxes, already low, were reduced significantly, and Peoria finally was able to build their greatly needed schools. It took fourteen years to escape. The property tax benefits continue to this day.

# Charter school ban clears House

NORA AVERY-PAGE

DAILY NEWS-SUN

The Arizona House of Representatives has approved a bill that would keep charter schools from opening within retirement communities.

Rep. Debbie Lesko of Glendale, R-District 9, introduced the bill after a successful fight last summer to keep a charter school from operating in a commercial space in Sun City, because she doesn't want her constituents in the community to worry again about the possibility.

"It's really good news," Lesko said.

House Bill 2197 was approved by the House this week by a 50-10 vote, which Lesko called a "good show of support." The bill will move on to the Senate for discussion.

"I'm certainly going to work hard to make sure it passes," Lesko said.

At the beginning of this legislative session, Lesko said she asked Sen. Rich Crandall of Mesa, R-District 19, to sponsor a similar bill. His bill is waiting for its

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for approval, but Lesko hopes to replace it with her version of the bill to avoid the committee process again.

"I think we'll be fine," Lesko said, adding that she expects the bill will be voted on in the Senate soon.

Sun Citians made it clear in July their community was not the place for a charter school proposed by Pastor Jack Duran of The New Joy Ministries.

The Youngtown Public Charter School would have had classes in a commercial space on the southeast corner of 107th and Peoria avenues, but once word got out a school was to open in Sun City, residents expressed opposition to local leaders, including Lesko, in public meetings and with phone

calls and e-mails.

Bill Szentmiklosi, the general manager for the Sun City Home Owner's Association, explained it's not that Sun Citians have a problem with children, but they just feel that their community is not the place for a school, and this bill gives them peace of mind.

"I think it's a good thing to put the fears of the residents away," Szentmiklosi said. "I think overall that residents should be happy. It's a good thing, I think, for the community."

Sun Citians don't want to see an increase in traffic, but most of all they don't want to worry about the potential of tax increases, Szentmiklosi said.

HB2197, which is co-sponsored by Rep. Rick Gray of Sun City, R-District 9, and several other legislators, includes an emergency clause that would put it into effect as soon as it passes.

## Charter school plans canceled

By Rusty Bradshaw  
Independent Newspapers

There will not be a charter school operating at 107th and Peoria avenues in Sun City.

Jack Duran, New Joys Ministries pastor, said July 30 the school will not be part of the operations of the New Joy Ministries church at that location. However, the church will be located there and he is hoping Sun City residents join in worship.

"Even though the law allowed me to be there (with a charter school), I did not want to cause so much trouble," Mr. Duran said.

When Sun City residents learned of Mr. Duran's plans to move from his Youngtown locations to Sun City, they moved swiftly to try and block the move. Sun City Home Owners Association, Recreation Centers of Sun City and legislative officials

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Independent Newspapers/Julie Anne Maurer

## School's out for Sun City

The Youngtown Public School hosted a meeting at New Life Ministries Sun City location Aug. 2 to announce the organization would not be opening a charter school in that location. The school is slated to start Aug. 16 in Peoria at 8632 W. Northern Ave.

## School

Continued From Page 2

worked together to set up a town hall meeting to provide information on the issue. During that meeting, SCHOA, RCSC and Maricopa County officials joined Dist. 9 Rep. Debbie Lesko (R-Glendale) to express their opposition to the school operating within Sun City.

Ms. Lesko said she planned to introduce legislation in the 2011 session to ensure public schools would not be allowed to locate in age restricted communities.

SCHOA officials were preparing for a hearing, scheduled for Aug. 13, on the stop work order placed at the 107th and Peoria avenues location last week. In an e-mail blast July 30, Bill Szentmiklosi said SCHOA officials planned to testify at the hearing and encouraged other residents who witnessed the building in use after the violation notice to also offer their testimony.

Mr. Duran said he still plans to operate his charter school and is researching location options outside of Sun City. New Joy Ministries also operated day care services from its Youngtown location, but will not offer that service until another site can be secured.

"I have been talking to another school to see if I could lease space there," he explained.

The furor raised over his charter school was disappointing, according to Mr. Duran.

"This is not a win for Sun City and a loss for me," he said.

The pastor said emotions ran high over the issue and he felt harassed. He said one person went to the 107th and Peoria avenues location, the former Safeway across from Fairway Recreation Center, 10600 W. Peoria Ave., and berated his receptionist with profanity laced language.

"He was using the F-word a lot," Mr. Duran said. "My receptionist should not have to be subject to that. I hope he comes back and apologizes."

With the existence of the school in limbo, Mr. Duran said he is concerned about the students and his employees.

"I don't want to have to lay off teachers, especially in this bad economy, and the students will miss out on the education we can provide," he said.

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# Church explores school options at Sun City location

**JEFF DEMPSEY**  
DAILY NEWS-SUN

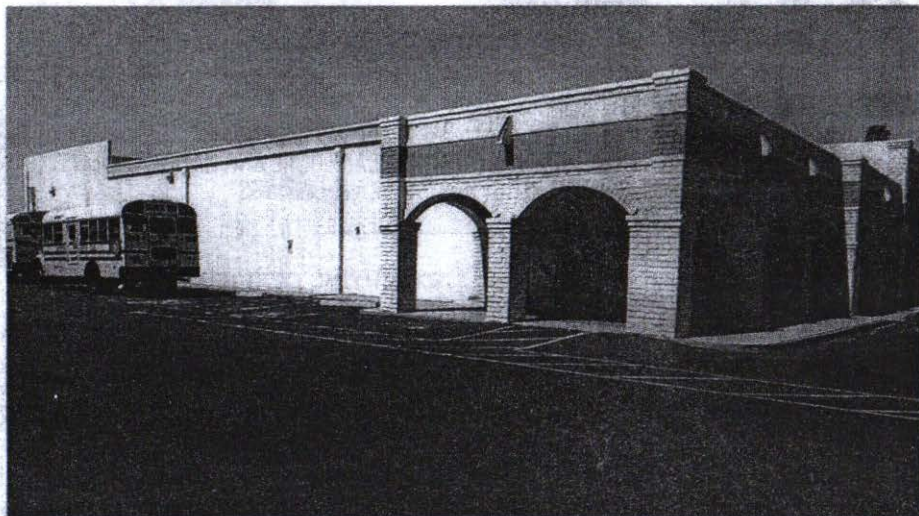
For days, Bill Szentmiklosi and the Sun City Home Owners Association have been swarmed by residents asking one question: Is there going to be a school in Sun City?

"Both us and the Recreation Centers of Sun City have been inundated," he said. "We've had hundreds of calls, e-mails, walk-in visitors. They're upset, and they want answers."

The school in question is the brainchild of the New Joy Ministries, which recently moved from Youngtown to the vacant building on the southeast corner of 107th and Peoria avenues, most recently occupied by the We Are Family thrift store. Pastor Jack Duran said he chose that location for the church in part because of the chance to open a charter school.

"The reason I'm here is because the county told me I could (open a school)," he said. "The building's owner told me I could open a school."

**SEE CHURCH, A5**



**MOLLIE J. HOPPES/DAILY NEWS-SUN**

New Joy Ministries has moved to this site in Sun City at 107th and Peoria avenues. The church had a school at its previous location in Youngtown.

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# CHURCH

## FROM A1

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However, Duran said he is now facing complications.

"I already signed the lease because I was told it would be OK," he said. "But now I just want to do what is proper. I'm trying to find out what is proper."

Szentmiklosi said SCHOA is officially opposed to the school and is looking at ways to challenge it legally.

"First of all, there is no organization in Sun City that has authority over commercial property," he said. "Having said that, we are in contact with our legal counsel, and we are discussing our options."

Szentmiklosi said the people of Sun City are concerned and he believes rightfully so.

"We can't even begin to imagine what the impact would be of having a school in an age-restricted community like Sun City," he said. "We just don't know. We know for sure it will mean an increase in traffic, and we also wonder if this is a backdoor way into getting our residents to pay school taxes in the future."

Duran said he has heard the school taxes argument though he does not believe it is a legitimate fear.

"I know many in Sun City are upset over this because they think they are going to have to pay taxes but that is not true," he said. "The students at this school would be bused in from other places. There would be no students from Sun City, obviously. So I don't see how Sun City residents could be taxed."

Duran said he has heard from several Sun Cityans about his school.

"Many of them have been nasty, too," he said. "I told the guys at the home owners association yesterday, I hope people will be a little more civil with me. I'm trying to do what is proper."

As for the school, if and when it opens this fall, Duran said he believes the people of Sun City will be surprised.

"There aren't going to be new crosswalks all over. You won't even know we're here."

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# Wilson decries school proposal in Sun City

STAFF REPORT

Maricopa County Board of Supervisors Chairman Max Wilson has weighed in on the prospect of a school in Sun City, and he does not mince words.

"Let me be clear," he said Thursday. "I adamantly oppose this charter school in Sun City. It is clearly not an appropriate location for a school and does not fit

into the well-thought-out plan Del Webb had proposed 50 years ago for Sun City."

While he is passionately against the school, Wilson said he wants Sun Citians to understand he has no power to stop it. Last year,



Wilson

he said, House Bill 2099 reclassified charter schools as public schools for zoning purposes, which eliminated local authority.

"Because of this bill, the county is only allowed by state statute to apply limited building code requirements only relating to life and safety within the building," he said. "Unfortunately, the legislators didn't realize the

dire consequences of this bill and voted yes for this change to strengthen charter school authority over local scrutiny. I am angry this new law takes away my oversight and doesn't allow me the chance to vote on a matter that clearly affects the residents of Sun City."

The school in question is the brainchild of the New Joy Ministries, which recently

moved from Youngtown to the vacant building on the southeast corner of 107th and Peoria avenues, most recently occupied by the We Are Family thrift store.

Wilson said the law allows for charter schools to be located wherever public schools are permitted in commercially zoned property.

**SEE WILSON, A5**

## WILSON

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"Amazingly, if a charter school proposes to begin operations within a previously permitted commercial building and is not planning any exterior changes they may do so by simply obtaining and completing tenant im-

provement permits without any need to come in front of the local jurisdiction for a proper review for compatibility," Wilson said.

Wilson also said, however, Sun City is not in any danger of losing its age overlay.

"Residential occupancy in the SC overlay zoning district has age restrictions but there is no zoning regulation that would prevent

any commercial or public assembly use in Sun City based upon the residential age restrictions," he said. "The SC overlay zoning district has no bearing on the commercial zoning districts. Conversely, development within the commercial zoning districts can have no bearing upon Sun City's compliance with the age restrictions of the SC overlay

zoning district."

Wilson said since he has no power to stop the school, he hopes Sun City residents will focus their energy where it can make a difference. He said he will ask the Sun City Home Owners Association to make that clear.

"The HOA seems to be advising concerned citizens to contact county offices. This gives the unfortunate

perception that the charter school proposal can be denied by the county, which of course is incorrect because of the new state law," he said.

Sun City is a part of Legislative District 9 and is represented by: Sen. Bob Burns, 602-926-5993; Rep. Debbie Lesko, 602-926-5413; and Rep. Rick Murphy, 602-926-3255.

# School departure met with doubts

**JEFF DEMPSEY**  
DAILY NEWS-SUN

Jack Duran, pastor of New Joy Ministries and principal of Youngtown Public Charter school, said Thursday he is going to look for a new location for his school, outside of Sun City and away from the retirement community.

Bill Szentmiklosi, compliance manager for the Sun City Home Owners Association, said he will believe it when it becomes official.

"He's trying to get out of Sun City. That's what he told me, too," Szentmiklosi said. "Honestly, it would be unfair of me to comment on something I don't know to be true."

Szentmiklosi said SCHOA will continue to operate under the assumption that Duran is trying to open a school until the change in location is made official. As for now, he said SCHOA is focusing on an upcoming Maricopa County Planning and Development hearing, where he said SCHOA will testify to the building's use.

**SEE SCHOOL, A5**

## SCHOOL

**FROM A1**

"We will be there to testify that the building has been in use. The county has red-tagged it and he is not supposed to be operating in there but he has been," he said. "So we will be there to testify to that."

Szentmiklosi said SCHOA will be looking for support, too.

"I'm sending out an e-mail blast right now," he said. "We are looking for residents to attend the meeting, as well, so they can testify to the building's use. Photographs would be helpful if anyone has them. Persons would be testifying under oath."

The hearing is scheduled for 9:30 a.m. Aug. 13 in the Maricopa County Planning and Development offices, 501 N. 44th St. in Phoenix. For more information, contact SCHOA at 623-974-4718 or visit [www.suncityhoa.org](http://www.suncityhoa.org).

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Independent Newspapers/Rusty Bradshaw

Sun City resident David Cretchem asks a question regarding the Youngtown Charter School relocating to the community during the town hall meeting last week. The issue drew a packed house to the Sundial Recreation Center, 14801 N. 103rd Ave., auditorium.

## Charter school draws heat

**By Rusty Bradshaw**  
Independent Newspapers

If many Sun City residents have their way, school buses will not be rolling through their community soon.

Several expressed their displeasure with a charter school in their community and learned during a July 21 town hall meeting the Youngtown Charter School may be under investigation.

Residents got at least a temporary reprieve when Maricopa County officials served a stop work order July 22. Charter school operators were conducting construction without a permit, according to Scott Isham, Maricopa County Supervisor Max Wilson's chief of staff.

Jack Duran, New Joy Ministries pastor and school director, did not inform the State Board of Charter School officials of his relocation of the school, according to DeAnna Rowe, state board executive di-

rector. To gain funding approval, charter schools must submit a lease agreement, certificate of occupancy and a final marshal's report for review, she added.

"We did not know they were moving until we heard from (Representative) Debbie Lesko's office," Ms. Rowe said during the town hall meeting. "We will be doing an investigation on this."

New Joy Ministries also had not satisfied requirements of the Sun City fire marshal to operate a school in the former Safeway building at 107th and Peoria avenues. Ken Rice, Sun City fire marshal, said the building meets all safety requirements to house a church or a school, but Mr. Duran must present architectural plans showing features such as lighting, exits, aisle spacing and the placement of classrooms before he can approve the school's occupancy.

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# Charter

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"Right now it is OK for the church, but we need more information to sign off on the school," he said.

However, if New Joy Ministries officials meet all the requirements, they will be approved to operate the school.

Ms. Rowe said school officials still must meet State Board of Charter Schools requirements, including documents previously mentioned and conducting a public community meeting.

"The public meeting must be conducted 30 days before they begin school," she explained.

The panel assembled for the town hall consisted of Pete Granucci, Sun City Home Owners Association board president; Bill Szentmiklosi, SCHOA compliance manager; Dist. 9 Rep. Debbie Lesko (R-Glendale); Mr. Wilson; Mr. Isham; Ms. Rowe; Dawn Wallace, Arizona House education policy advisor; and Jay Kaporsy, of the Arizona Charter

School Association.

All but Mr. Kaporsy expressed opposition to the Youngtown Charter School relocating to Sun City. Mr. Kaporsy said his organization remains neutral on the issue.

Mr. Duran did not return a phone call for comment before press time following the town hall, but in a July 8 telephone interview said his plans were to operate the New Joy Ministries church and the Youngtown Charter school from the 107th and Peoria avenues location. He also said he planned to continue to provide storage space for Valley View Community Food Bank.

However, Jesse Ramirez, Valley View director, said his organization, while it did store some food at the old New Joy location, has no food at the new location.

"We are in the process of getting some more space near our food bank at 11115 W. Nevada Ave.," he said. "It is more convenient for us."

Ms. Lesko said she plans to introduce legislation in the next session to try to clarify the status of schools within age restricted communities.

"I want to get legislation passed so we

don't have to deal with this problem again," she said.

Ms. Wallace said the law passed in 2009 protecting charter school rights to locate within communities did not anticipate this situation.

"Never in our wildest dreams did we expect a charter school to want to locate within a community like yours," she told residents who packed the Sundial Recreation Center for the July 21 town hall.

Mr. Kaporsy said charter schools are funded differently than other public schools and because they have no distinguishable boundaries are not allowed to collect local property taxes, bonds or budget overrides.

Diane Douglas, Peoria Unified School District board member, said PUSD officials have no intention of annexing Sun City, as it recently annexed Youngtown.

"We had to annex Youngtown by law because it was in an unincorporated area and had the minimum number of enrolled students in our district," she said. "We have no enrolled students from Sun City."

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